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Washington, Wednesday, July 11, 1945

The President

EXECUTIVE ORDER 9588

CREATING AN EMERGENCY BOARD TO INVESTIGATE THE DISPUTES BETWEEN THE CHICAGO, NORTH SHORE & MILWAUKEE RAILROAD COMPANY AND THE CHICAGO, AURORA & ELGIN RAILROAD COMPANY AND THEIR EMPLOYEES

WHEREAS disputes exist between the Chicago, North Shore & Milwaukee Railroad Company and the Chicago, Aurora & Elgin Railroad Company, the carriers, and certain of their employees represented by the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS these disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS these disputes, in the judgment of the National Mediation Board, threaten substantially to interrupt interstate commerce within the states of Illinois and Wisconsin to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate said disputes. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said disputes within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Chicago, North Shore & Milwaukee Railroad Company and the Chicago, Aurora & Elgin Railroad Com-

The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations amended or added by documents appearing in this issue, follows the table of contents.

pany or their employees in the conditions out of which the said disputes arose.

HARRY S. TRUMAN

THE WHITE HOUSE,

July 6, 1945.

[F. R. Doc. 45-12462; Filed, July 9, 1945; 4:15 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Distribution Orders¹

[WFO 72, Amdt. 5]

PART 1465—FISH AND SHELLFISH

ALLOCATION OF IMPORTED SALTED FISH

War Food Order No. 72, as amended (8 F.R. 10970; 9 F.R. 4321, 4319, 7363, 9584; 10 F.R. 103), is further amended to read as follows:

§ 1465.23 *Regulations relative to the importation of salted fish into the United States*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Salted fish" means any one or more of the following species of fish if cured or preserved in any manner with the use of salt, but does not mean the following species of fish if smoked or

¹ Formerly Chapter XI—War Food Administration (Distribution Orders).

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NOTICE

The 1943 Supplement to the Code of Federal Regulations, covering the period June 2, 1943, through December 31, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book.

Book 1: Titles 1-31, including Presidential documents in full text.

Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at \$3.00 each.

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packed in air-tight containers: Cod (*Gadus macrocephalus* and *Gadus callarias*), haddock (*Melanogrammus aeglefinus*), hake (*Urophycis* species and *Merluccius productus*), pollock (*Pollachius virens*), cusk (*Brosimius brosme*), ling (*Molva molva*), and saithe (*Gadus vir-*

(3) "Dry" means to arrange salted fish in a single layer only and to reduce the moisture content of such salted fish to a desired percentage, by weight, by exposing such salted fish (i) to the sun and air or (ii) to artificially created currents of air in specially constructed dryers.

(4) "Green-salted fish," "wet-salted fish," "pickle-cured fish," or "kench-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has not been dried, and (iii) contains more than 43 percent of moisture, by weight.

(5) "Semi-dried fish" or "soft-cured fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains more than 43 percent of moisture, by weight.

(6) "Dried fish" or "dry-salted fish" means salted fish which (i) is neither skinned nor boned (except that the vertebral column may be removed), (ii) has been dried, and (iii) contains not more than 43 percent of moisture, by weight.

(7) "Boneless fish" means salted fish, whether or not dried, which is skinned or boned, wholly or partially.

(8) "1945 pack" means the salted fish produced from the fish caught during the calendar year of 1945.

(9) "Import" means, except as used in (e) hereof, (i) to enter for consumption in the continental United States from any foreign country, including, but not being limited to, the Treaty Coasts defined in the Treaty of October 20, 1818, between the United States and Great Britain, entitled "Convention Respecting Fisheries, Boundary, and the Restoration of Slaves," proclaimed on January 30, 1819, or (ii) to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, for consumption in the continental United States.

(10) "Import" as used in (e) hereof means (i) to enter for consumption in Puerto Rico or the Virgin Islands from any foreign country, including, but not being limited to, the Treaty Coasts defined in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain, or (ii) to withdraw (a) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in Puerto Rico for consumption in Puerto Rico or (b) from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the Virgin Islands for consumption in the Virgin Islands.

(11) "Importer" means any person who is the first owner, in the continental United States, of imported salted fish; and it is immaterial, in determining whether a person is an importer, whether or not the United States import duty, if any, or any other payment was made through or by a customs broker, nominal consignee, or other agent.

(12) "Director" means the Director of Marketing Services, United States Department of Agriculture.

(13) "Government agency" means (i) the Armed Services of the United States (excluding, for the purpose of this order, United States Army Post Exchanges, United States Navy Ships' Service Departments, and United States Marine Corps Post Exchanges; (ii) the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the Secretary of Agriculture.

(14) "Armed Services of the United States" means the Army, the Navy, the Marine Corps, and the Coast Guard of the United States.

(b) *Allocations.* (1) No person shall import, or have imported for his account, into the continental United States, for consumption in the continental United States, any salted fish except in accordance with an allocation hereunder and pursuant to the provisions of this order.

(2) Unless otherwise ordered by the Director, each person is (subject to the limitation of the quota determined hereunder, the other provisions hereof, and to the import authorization under War Food Order No. 63 (9 F.R. 13280), as amended), hereby authorized to import, or have imported for his account, from the 1945 pack for consumption in the continental United States (i) from the Dominion of Canada, not more than 60 percent, net weight, of the quantity of salted fish imported therefrom in 1942 of which such person was the importer; and (ii) from Newfoundland, not more than 65 percent, net weight, of the total quantity of salted fish imported therefrom, and from Iceland, in 1942 of which such person was the importer. Each quantity of salted fish imported in 1942 by, or for the account of, any such person for the use of any government agency or sold in 1942 to any government agency by such person subsequent to the importation of such salted fish shall be excluded from the aforesaid computation of such person's quota. The quota of salted fish which may be imported pursuant hereto shall be computed on the basis of dry-salted fish and may be imported as any one or more of the kinds of salted fish specified, respectively, in (a) (4), (5), (6), and (7) hereof: *Provided*, That the following conversion factors shall be applied in determining such quota and the quantity of salted fish to be imported pursuant to such quota: 1 pound of dried fish or dry-salted fish equals: (i) 1.75 pounds of green-salted fish, wet-salted fish, pickle-cured fish, or kench-cured fish; (ii) 1.5 pounds of semi-dried fish or soft-cured fish; (iii) 1 pound of boneless fish.

(3) Unless otherwise required pursuant to the provisions of this subparagraph (3), each person shall, prior to importing salted fish, submit to the Director, not later than July 20, 1945, a statement with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942, 1943, and 1944, respectively, and in 1945 prior to the effective date hereof, showing: (i) the country of ori-

gin; (ii) the name of shipper; (iii) the net weight; (iv) the date and port of entry (including the entry number, if available); (v) the rate of duty paid; (vi) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs; and (vii) the quantity of salted fish sold, in the calendar years 1942, 1943, and 1944, respectively, and in 1945 prior to the effective date hereof, by such person to government agencies and the names of such government agencies. Each such person who, for the purpose of the determination by the Director of such person's 1944 quota of salted fish, had previously submitted, to the Director, a statement pursuant to the provisions of War Food Order No. 72, as amended on June 29, 1944, with respect to each lot of imported salted fish of which such person was the importer in the calendar years 1942 and 1943, respectively, and the quantity of salted fish sold to government agencies by such person in such calendar years, may omit from his submission of the statement required pursuant to the provisions of this subparagraph (3) the information applicable to the calendar years 1942 and 1943: *Provided*, That such person shall submit a statement to the Director with respect to the corrections, if any, which should be made in the statement previously submitted, as aforesaid. The Director shall, from the information submitted to him and from such other information as may be available to him, determine, in accordance with the provisions of this order, each person's quota of salted fish which may be imported by, or for the account of, such person from the 1945 pack of salted fish: *Provided*, That the quantity of salted fish from the 1945 pack which was imported in 1945 prior to the effective date of this order by, or for the account of, any such person, shall be deducted in computing the respective person's quota, except that any such quantity of such salted fish which was imported by, or for the account of, such person for the use of any government agency or was sold in 1945 by such person, subsequent to the importation of such salted fish and prior to the effective date hereof, to any government agency shall not be deducted in computing such person's quota. The Director shall notify each person who complies with the provisions hereof relative to the respective person's quota determined pursuant hereto; and no such person shall import, or have imported for his account, any salted fish in excess of his quota. No quota shall be allocated, except under (i) hereof with respect to petitions for relief from hardship, to any person who fails to submit to the Director the aforesaid information on or before July 20, 1945, as required by this order.

(4) Each person's quota pursuant hereto is on condition that he shall (i) contract, on or before July 31, 1945, for the purchase of the entire quota of salted fish allocated hereunder to such person and (ii) submit to the Director, on or before August 10, 1945, a copy of each such contract: *Provided*, That no such contract need be submitted with respect to salted fish which are the product of the Dominion of Canada or which are

the product of American fisheries and are from the Treaty Coasts or regions described in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain.

(c) *Additional allocations.* The Director may hereafter allocate among other persons, as well as to the United States Department of Agriculture (including, but not being limited to, any corporate agency thereof), (1) any portion of a person's quota which such person notifies the Director will not be used by such person; (2) any person's quota which is not allocated to such person because of his failure to comply with the provisions of (b) (3) and (4) hereof; (3) any portion of any person's quota which is revoked in accordance with the applicable procedure as specified in (j) hereof; and (4) all other quantities of salted fish which, from time to time, the Director may determine to be available for importation. The Director may prescribe such methods and conditions of such subsequent allocations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order; and each person who receives an allocation pursuant to the provisions of this paragraph (c) may import, or have imported for his account, the salted fish covered by such allocation.

(d) *Exemption from quota restrictions.* The provisions of this order shall not be construed as restricting the importation of salted fish of the 1945 pack by or for a government agency: *Provided*, That any such importation of salted fish by or for a government agency shall be free from regulation hereunder only if, with respect to each such importation, a certificate is issued prior to the importation of the salted fish of the 1945 pack, by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marine Corps, the Administrator of the War Shipping Administration, the Director of the Veterans' Administration, the Director, or the duly authorized representative of any of the foregoing, and such certificate (1) is issued to the person having the prime contract with a government agency, and (2) specifies the following: the name of the importer supplying such salted fish and that such salted fish are for direct Army, Navy, Coast Guard or Marine Corps issue or for contract feeding of the Army, the Navy, the Coast Guard, or the Marine Corps personnel, or for consumption on ships operating under the War Shipping Administration. Each person who asserts that a particular importation and delivery of salted fish is for a government agency and is, therefore, exempt from quota restriction under this order, shall promptly submit to the Director a copy of each such certificate, and certify to the Director that such is a true and correct copy of the certificate issued, as aforesaid.

(e) *Restrictions relative to Puerto Rico and the Virgin Islands.* No person other than the United States Department

of Agriculture (including, but not being limited to, any corporate agency thereof) may import any salted fish of the 1945 pack into Puerto Rico or the Virgin Islands.

(f) *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records and other writings, premises or stocks of salted fish of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in salted fish.

(h) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued or payments made thereunder. This order shall not, however, be construed as reducing the amount of salted fish which any person is required to offer or deliver pursuant to contracts heretofore or hereafter entered into with any government agency.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 72, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (i) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(j) *Violations.* Any person who violates any provision of this order, may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using salted fish. In addition, any person who willfully violates any provision of this order is guilty

of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as Order Administrator.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, WFO 72, Office of Marketing Services, United States Department of Agriculture, Washington 25, D. C.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., July 10, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 72, as amended, prior to the effective time of the provisions hereof, the provisions of War Food Order No. 72, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 9th day of July 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-12452; Filed, July 9, 1945;
12:34 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51265]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

WAIVER OF COASTWISE LAWS

JULY 9, 1945.

Coastwise laws waived to extent necessary to permit transportation merchandise between ports in the United States by any foreign flag vessel allocated by the Government of any nation which is party to United Maritime Authority for operation at direction of War Shipping Administration.

Upon the written recommendation of the Administrator of the War Shipping Administration and pursuant to the authority vested in me by the provisions of

section 501 of the Second War Powers Act, 1942 (50 U.S.C. Sup. App. 635), as extended by the act of December 20, 1944 (Public Law 509, 78th Congress), I hereby waive compliance with the provisions of section 27 of the Merchant Marine Act, 1920, as amended (46 U.S.C. 883), to the extent necessary to permit the transportation of merchandise between ports in the United States embraced within the coastwise laws by any foreign flag vessel allocated by the Government of any nation which is a party to the United Maritime Authority for operation at the direction of the War Shipping Administration; *Provided*, That the collector of customs at the port of lading is notified of such allocation by the War Shipping Administration prior to the departure of the vessel from such port of lading. I deem that such action is necessary in the conduct of the war.

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 45-12463; Filed, July 9, 1945;
4:16 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

DIRECTION TO SUPPLIERS OF SOLID FUELS TO WAR DEPARTMENT, NAVY DEPARTMENT (INCLUDING THE MARINE CORPS AND COAST GUARD), MARITIME COMMISSION AND VETERANS' ADMINISTRATION

Pursuant to Executive Order No. 9332 and Solid Fuels Administration for War Regulation No. 1, as amended, you are hereby directed to ship such solid fuels (anthracite, semi-anthracite, bituminous, sub-bituminous or lignitic coals or coke, including packaged and processed fuels such as briquettes) as may be required during the period commencing on the effective date of this notice and ending July 1, 1946 under any contract which has been or may hereafter be entered into between you and the War Department, Navy Department (including the Marine Corps and the Coast Guard), the Maritime Commission, and the Veterans Administration, subject to such modifications or cut-backs as the Solid Fuels Administration may hereafter require.

Any direction which may hereafter be issued by the Solid Fuels Administration for War requiring the shipment of solid fuels to any person or group of persons does not authorize you to divert such solid fuels from shipments required by your contracts with the War Department, Navy Department (including the Marine Corps and the Coast Guard), the Maritime Commission, and the Veterans Administration, unless such direction specifically permits or requires such diversions.

This direction has been issued at the request of the War Department, Navy Department and other agencies of the Federal Government, each of which has expressed its willingness to do all it can to cooperate with SFAW in its program with respect to such matters as conservation, purchasing of the less scarce solid fuels and making purchases at such time and in such manner as will give

assurance of maximum running time to the mines.

The notice of direction to all persons who supply solid fuels to the War Department, Navy Department or other agency of the Federal Government, dated April 13, 1944, is hereby revoked.

This direction shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 9th day of July 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-12465; Filed, July 10, 1945;
9:58 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 332]

PART 95—CAR SERVICE

PROHIBITION ON LOADING OF FREIGHT IN ARIZONA AND CALIFORNIA ON SUNDAYS AND HOLIDAYS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of July, A. D. 1945.

It appearing, that the loading of freight cars at points in the states of Arizona and California on Sundays and holidays has resulted in the accumulation of an excessive number of such cars so loaded and in a congestion of traffic; the Commission is of opinion an emergency exists requiring immediate action at points in those states. It is ordered that:

(a) *Loading of freight prohibited.* Except as shown in paragraph (c), herein, no common carrier by railroad subject to the Interstate Commerce Act operating in the states of Arizona or California shall accept orders for a railroad freight car to be loaded with, shall furnish or supply a railroad freight car for loading with, or allow or permit a railroad freight car to be loaded with, freight of any kind at any point in the states of Arizona or California, on any Sunday or on any legal holiday (national or state only). In the event such cars are so loaded in violation of this provision, they shall not be transported.

(b) *Billing on freight of all kinds not to be accepted.* Except as shown in paragraph (c) herein, no common carrier by railroad subject to the Interstate Commerce Act shall accept billing on a railroad freight car loaded with any kind of freight to be shipped from any point located in the states of Arizona or California, at any time between the hours of 10:00 p. m., on Saturday of any week and 12:01 p. m. on Monday of the next succeeding week.

(c) *Application.* The provisions of this order shall apply to interstate and foreign traffic as well as intrastate traffic.

Exception. This order shall not apply on freight consigned, or to be consigned to the U. S. Army or the U. S. Navy, nor to cars loaded at shipside docks at ocean ports.

(d) *Effective date.* This order shall become effective at 12:01 a. m., July 8, 1945.

(e) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of the Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

(f) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

It is further ordered, that a copy of this order and direction shall be served upon the State railroad regulatory bodies of the States of Arizona and California; and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-12473; Filed, July 10, 1945;
10:56 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1945 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

THIRD QUARTER, 1945

JULY 1, 1945.

§ 129.8 *Calendar year 1945.* * * *

(c) *Quarter beginning July 1, 1945.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1945, expressed in any such foreign monetary units: *Provided, however*, That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentina Republic	Peso	\$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	8.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium	Belga	.1695	By decree of Mar. 31, 1936, One Belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176.625 francs for £1 sterling.
Bolivia	Boliviano	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro (Milreis)	.2025	Decree law of October 6, 1942, established the cruzeiro as the unit of currency, replacing the milreis. Official rate for cruzeiro in terms of the dollar, announced by the Bank of Brazil, is \$0.0606. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930.
British Honduras	Dollar	1.6931	Conversion of notes suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.6931	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.2060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for 1 gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for yuan fixed at 20 to the U. S. dollar by Stabilization Board of China, July 10, 1942.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold $\frac{9}{10}$ fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna		
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Dollar	1.6931	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc		Provisions of monetary law of Oct. 1, 1936 providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
Germany	Reichsmark	.4033	Exchange control established July 13, 1931.
Great Britain	Pound sterling	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.6941	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.8466	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Hong Kong	Dollar		Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 8, 1935; exchange fund created to control exchange rate.
Hungary	Pengő	.2061	Exchange control established July 17, 1931.
India (British)	Rupee	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster		Piaster pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.8440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat.		Currency pegged to sterling Sept. 28, 1936, at 2,522 lat=£100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.6931	U. S. money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso		Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by Act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling.
Newfoundland	Dollar	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	8.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Guarani		New unit established by decree law Oct. 5, 1943, effective 30 days later; not tied to gold. Certain prior dated obligations, etc., expressed in the gold peso (oro sellado) are converted as equivalent to 134 guaranis. Initial exchange rate fixed by Bank of the Republic of Paraguay at 1 guarani equals U. S. \$0.3255. Exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932; exchange control established Jan. 23, 1945.
Philippine Islands	Peso	.5000	By act approved Mar. 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	.8466	Conversion of notes into gold suspended Oct. 7, 1931.
Spain	Peseta		
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc		Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Socialist Republics	Chervonetz	8.7123	One chervonetz equals 10 rubles. Notes not convertible into gold.
Uruguay	Peso	.6583	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .385018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.
Yugoslavia	Dinar	.0298	Exchange control established Oct. 7, 1931.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

Certified to be a true copy of the original.

[SEAL]

D. W. BELL,
Acting Secretary of the Treasury.

TITLE 29—LABOR

Chapter VI—National War Labor Board

PART 802—RULES OF PROCEDURE

CONSTITUTION OF REGIONS AND REGIONAL BOARDS

The National War Labor Board has added a new paragraph to paragraph (d) of § 802.51 of its rules of organization and procedure to read as follows:

§ 802.51 *Constitution of regions and Regional War Labor Boards.* * * *

(d) * * * Whenever a Regional War Labor Board or Industry Commission or the New Case Committee of any such Board agent determines that a particular dispute case can be more effectively handled if the industry member of the Panel is selected from the same industry as the company involved in the dispute and the labor member of the panel is selected from the same international which is involved in the dispute, the Board Agency shall have authority to designate such members. The industry member shall not have any primary or other interest in the company involved in the dispute and the labor member shall not be a member of the local union involved in the dispute nor shall he have participated in any of the negotiations in connection with the dispute.

(E.O. 9017, 7 F.R. 7871)

Approved July 4, 1945.

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 45-12469; Filed, July 10, 1945;
10:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 324]

PART 622—CLASSIFICATION

LENGTH OF DEFERMENT

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, second edition, are hereby amended in the following respect:

Amend paragraphs (c) and (e) of § 622.22-2 to read as follows:

§ 622.22-2 *Length of deferments in Class II-A and Class II-B.* * * *

(c) When a registrant in Class II-A or Class II-B voluntarily leaves the employment for which he was deferred, he shall be reclassified into Class I-A, Class I-A-O, or Class IV-E, unless before leaving such employment he requests a determination and a determination is made (1) that it is in the best interest of the war effort for him to leave such employment for other work, or (2) that there are adequate reasons involving the registrant or his immediate family which justify the registrant in leaving such employment.

(e) Any registrant in Class II-A or Class II-B may file with his local board a written request for a determination under paragraph (c) or (d) of this section. When the registrant's local board

has made a determination upon such request, it shall advise him thereof in writing.

The foregoing amendment to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 9, 1945.

[F. R. Doc. 45-12454; Filed, July 9, 1945;
2:54 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 11-B, Direction 2]

STATEMENT OF MANPOWER REQUIREMENTS (FORM WPB-3820)

The following direction is issued pursuant to Priorities Reg. 11-B:

(a) It is no longer necessary to file Form WPB-3820 (Statement of Manpower Requirements) when filing an application on Form WPB-2613 in either of the following two cases:

(1) Where the proposed production will be carried on in plants located in Groups III, IV, or unclassified labor areas,

(2) Where, regardless of plant location, the total number of production workers in the plant will not exceed 100 after application is approved without modification.

(b) If either of these two conditions apply when the application is filed, a statement must be attached to that effect.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12506; Filed, July 10, 1945;
11:46 a. m.]

PART 1284—BALSA

[Conservation Order M-177, Revocation]

BALSA

Section 1284.1 *General Conservation Order M-177* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The distribution and use of Balsa lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12504; Filed, July 10, 1945;
11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 64, as Amended July 10, 1945]

DIRECT ALLOTMENT TO FORGERS OF SHELL STEEL FORGINGS

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Beginning with the second quarter of 1945, the Army and Navy may make direct allotments to persons making shell steel forgings on Army or Navy sub-contracts. In most cases, no allotments of steel for forgings will be made to the prime contractor who machines the forgings and furnishes it to the Army or Navy. Forgers should immediately contact the appropriate claimant agency for allotments of steel billets during the second quarter and thereafter. If a forger receives an allotment for shell steel forgings directly from the Army or Navy, he may not thereafter accept allotments for shell steel forgings from his customers identified by an allotment symbol whose initial letter is "N" if his direct allotment was from the Navy, or whose initial letter is "W" or "O", if his initial allotment was from the Army, unless otherwise specifically directed by the Army or Navy, as the case may be.

(b) This direction expires December 31, 1945.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12499; Filed, July 10, 1945;
11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 66, as Amended July 10, 1945]

SEQUENCE IN SCHEDULING ORDERS FOR STEEL

The following amended direction is issued pursuant to CMP Reg. 1:

(a) Orders for steel should be given the following preference in being placed on schedule.

NOTE: In paragraph (b) items (2), (3) and (4), formerly (3), (4) and (5) redesignated July 10, 1945.

(b) Where a producer of steel in controlled material form is unable to schedule all orders which he has accepted in the month for which he accepted them, he should select the orders to be placed on the production schedule according to the following preference:

(1) Carried over and current orders required to be filled by specific direction of the War Production Board, (2) Orders bearing symbol "FC-1" and CMP orders carried over from previous months except orders with a CMP allotment symbol including the letter "Z", (3) Current CMP orders excepting those carrying the allotment symbol "Z", (4) CMP orders carrying the allotment symbol "Z", except stainless, (5) Unrated orders (including orders bearing the symbol FCN).

(c) If a producer finds it impossible to schedule all orders carried over from a previous month, plus orders covered by directives and those bearing the symbol FC, whether carry-over or otherwise, he must immediately advise the appropriate Product

Branch of the Steel Division, War Production Board.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12500; Filed, July 10, 1945;
11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 70, as Amended July
10, 1945]

MILITARY CANCELLATIONS OF CONSTRUCTION MACHINERY AND DIESEL ENGINES

The following amended direction is
issued pursuant to CMP Reg. 1:

(a) *What this direction does.* This direction provides a way for manufacturers of construction machinery and Diesel engines to continue using military allotments and preference ratings that they have received from their customers for the production of such products for civilian use, after the customer cancelled the related order. This direction is intended to minimize the re-scheduling and re-ordering necessary in connection with the change from military to civilian production.

(b) Any person manufacturing the kinds of construction machinery and Diesel engines listed in paragraph (i) who is obtaining production materials by use of a rating and allotment received from his customer identified by the CMP allotment symbol whose initial letter is W, O, N, M, or C, need not cancel any use that he has made of the rating or allotment when the related order is cancelled unless the rating and allotment is specifically cancelled by his customer. Also, unless the rating and allotment is specifically cancelled by his customer, he may continue to use any unused balance of the military allotment to place further orders for civilian production of such product. He may also continue manufacturing such product, subject to the provisions of any other WPB order or regulation, at the same rate as previously authorized.

(c) Although he need not change any rating or allotment symbol on outstanding orders, any further orders that he places against the unused military allotment must be identified with the CMP allotment symbol assigned to him for the civilian proportion of his production by the WPB. The same symbol must be used on rated orders, and further ratings must be assigned within the "rating pattern" on his authorized production schedule received from the WPB.

(d) Separate records must be kept of his use of the military allotment. To do this, he may either set up an entirely separate account, indicating the amount already used against outstanding orders at the time of cancellation and separately the amount unused against which new orders are placed; or else he may transfer the unused allotment to the allotment received from WPB.

(e) Any manufacturer who continues to use military allotments under this direction must notify WPB, Washington 25, D. C., Ref: Appropriate Industry Division, by letter, within ten days from the date the military purchase order was cancelled, giving the following facts: (1) The product and the CMP product code number for which the allotment was used and will be used; (2) the amount of allotment (in tons or pounds) of each controlled material shape represented by the military cancellation which he would be otherwise required to return under paragraph (w) of CMP Regulation 1; (3) the amount of military allotment (including outstanding orders and unallotted balances)

which he proposes to use in production for civilian purposes; and (4) the amount (by number, unit, or dollar value, as the case may be) of each product he proposes to make from the military allotment during each succeeding month.

(f) If a particular manufacturer wishes to make more of the product for civilian purposes than the amount allotted to him by the WPB for that purpose, plus the number made with military allotments under this direction, then he can apply on Form CMP-4B for the excess. This application should not include any amount which he proposes to make for civilian purposes from military allotments. The WPB will make adjustments in manufacturer's authorizations based on the letter required by paragraph (e), so that all manufacturers in the industry will be given equitable treatment.

(g) The WPB will notify the manufacturer within 10 days of the date it receives the letter required by paragraph (e), of the amount of military allotment the manufacturer may use and the adjusted total production for civilian purposes. If the WPB determines that the proposed production will result in the exceeding of the amount of civilian production of such product that the WPB proposes to give priorities assistance during the third and fourth quarter, the WPB will reduce the amount of military allotments the particular manufacturer can use for civilian purposes. In such a case, the manufacturer must cancel or reduce authorized controlled material orders, allotments, and rated orders to the extent that they exceed the amount determined by WPB.

(h) Nothing in this direction shall be construed to affect the liability of any person or agency for claims on contract settlement.

(i) This direction applies only to the following specific kinds of Class A Civilian Type End Products. (Class A Civilian Type End Products are a limited list of products for which both the claimant agencies and WPB allot controlled materials. They are identified in the WPB publication "Products and Priorities" by an asterisk (*). Formerly this direction applied to all of this limited list of products. This amendment confines the direction to the following list of Class A Civilian Type End Products). This direction applies only to the manufacturer of the complete product listed below and not to the manufacturer of any component of such product:

CMP Code	
308	Construction equipment, tractor mounted
309	Construction machinery, specialized
310	Construction material mixers, pavers, spreaders, related equipment
311	Construction material processing equipment
312	Power cranes, derricks, draglines, dredges, shovels and related equipment
313	Scrapers, maintainers, and graders
316	Drilling, boring machinery: earth, rock: including water well drilling
470	Tractors: track laying
750	Diesel electric or Diesel mechanical locomotives, under 600 horsepower

A detailed description of the above products is contained in the WPB publication "Products and Priorities."

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12501; Filed, July 10, 1945;
11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 74]

STATEMENT OF MANPOWER REQUIREMENTS (FORM WPB-3820)

The following direction is issued pursuant to CMP Reg. 1:

(a) It is no longer necessary to file Form WPB-3820 (Statement of Manpower Requirements) when filing an application on Form CMP-4B in either of the following two cases:

(1) Where the proposed production will be carried on in plants located in Groups III, IV or unclassified labor areas.

(2) Where, regardless of plant location, the total number of production workers in the plant will not exceed 100 after application is approved without modification.

(b) If either of these two conditions apply when the application is filed, a statement must be attached to that effect.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12502; Filed, July 10, 1945;
11:46 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended July 10, 1945]

SALES OF CONTROLLED MATERIALS BY WARE- HOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4—(a) Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Direction 3 to Order M-21.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer, retailer, or scrap dealer) who is engaged in the business of receiving steel into one or more warehouse stocks regularly maintained by him for sale or resale in the form received, or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) [Deleted July 10, 1945.]

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not accept an authorized controlled material order

bearing an allotment number which requires a quarterly identification after the end of the quarter for which the allotment was issued. A distributor must not deliver any steel on an authorized controlled material order which requires a quarterly identification earlier than 15 days preceding the beginning or later than 60 days after the end of the calendar quarter for which the allotment was issued. Orders bearing symbols which do not have to bear any quarterly identification such as MRO (see Interpretation 25 to CMP Regulation 1) are not subject to this provision. Such orders may be accepted and delivered at any time.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which can be filled.* A distributor must fill orders of the kinds described in paragraphs (d) (1), (2) and (3) unless he is required or permitted to reject them under paragraph (c), (Rejection of Orders) and he may fill orders of the kind described in paragraph (d) (4). Paragraph (p) explains the preference that must be given in filling various classes of orders:

(1) A distributor must fill all authorized controlled material orders except "Z" orders for stainless steel.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill any other order except orders for stainless steel. No endorsement is required on orders which a distributor is permitted to fill under this paragraph (d) (4). Deliveries made pursuant to this paragraph (d) (4) shall not be used to support a WH—Authorized Stock Replacement Order.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for

the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where differences in temper will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products—*(1) *Delivery from warehouse stock.* (i) A warehouse must fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) No person shall place orders calling for delivery from warehouse stock during any one calendar month to any one destination of more than 3,000 pounds gross weight of any item of brass mill product (except condenser tubes) or 3,000 pounds copper content of any item of copper wire mill product. This paragraph does not apply to the resale of brass mill and wire mill products ob-

tained by warehouses under Priorities Regulation 13 or WPB Directive 16.

(iii) [Deleted May 10, 1945.]

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Delivery from warehouse stock on other than authorized controlled material orders.* Effective immediately, a brass mill warehouse, and effective July 1, 1945, a copper wire mill warehouse may but need not fill any order other than those which it is required or permitted to fill under paragraph (f) (1) or (f) (3) as follows:

(i) A warehouse may sell a quantity of each product group of controlled materials (except condenser tubes) as described below equal to the amount of such product group purchased by him on "ZW" orders and unrated orders from producers or warehouses.

(ii) In addition, a warehouse may sell a quantity of such product group of controlled materials (except condenser tubes) equal to 10% of the amount of each brass mill product that is in his inventory at the close of business on May 26, 1945, and each copper wire mill product group that is in his inventory at the close of business on June 30, 1945.

(iii) A warehouse may sell any quantity of condenser tubes. "Quantity" as used in the last three paragraphs means the gross weight of brass mill products or the copper content of wire mill products.

(iv) If a warehouse has in its stock a particular lot of controlled materials which it cannot deliver on unrated orders because of the restrictions contained in this paragraph (f) (2), the warehouse may apply by letter to the Copper Division, War Production Board, Washington 25, D. C., attention Wire Mill Branch or Brass Mill Branch for specific authorization to do so. Such application should describe the materials and state how long they have been in stock. Generally, the War Production Board will authorize the delivery of these materials on unrated orders only if the materials have been in stock 60 days or more and the warehouse has been unable to deliver them on authorized controlled material orders.

(v) Effective immediately, a warehouse may resell on unrated orders any brass mill products or wire mill products obtained by warehouses under the provisions of Priorities Regulation 13 or WPB Directive 16.

(vi) Purchasers of brass mill and wire mill products on orders other than authorized controlled material orders are subject to the quantity limitations of paragraph (f) (1) (ii).

(vii) Effective July 1, 1945, a warehouse may deliver brass mill and copper wire mill products on authorized controlled material orders identified with a

CMP allotment symbol whose initial letter is "Z" only under the conditions provided for delivery of orders other than authorized controlled material orders by this paragraph (f) (2). "Z" orders must, however, continue to be accepted if they can be filled within these limits.

(viii) The following product groups are to be used as a basis for permitted deliveries on unrated orders under this paragraph (f) (2).

- (a) Brass mill alloy Plate, Sheet and Strip.
- (b) Brass mill alloy Rods, Bars and Wire.
- (c) Brass mill alloy tube and pipe.
- (d) Brass mill unalloyed copper products.
- (e) Copper wire mill products.

(3) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(4) *Rejection of orders.*

(i) [Deleted May 10, 1945]

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

(v) If delivery of an order would deplete a warehouse stock to a point where its function in the distribution of brass mill products or copper wire mill products would be seriously impaired, the warehouse may apply to the War Production Board for authority to reject the order and may delay filling the order until its application is acted upon.

(vi) A warehouse may reject any order other than those it is required to fill by paragraph (f) (1).

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation

and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who has received or proposes to receive physical delivery of aluminum into his stock for sale or resale in the same form, or after performing such operations as cutting to length, shearing to size, sorting and grading.

(h) (1) *Deliveries of aluminum by distributors.* Each distributor must, to the extent of his available stock, fill authorized controlled material orders, orders bearing the symbol AM (except orders bearing symbols from AM 9500 through AM 9699) and orders which he has been specifically directed in writing by the War Production Board to fill. Orders bearing symbols from AM 9500 through AM 9599 need not be accepted, but if accepted, must be treated as authorized controlled material orders. Orders bearing symbols from AM 9600 through AM 9699 must be treated as deferred ("Z") orders before July 1, 1945, and as unrated orders on and after that date.

(2) Effective immediately, an aluminum warehouse may, but need not deliver aluminum (except extrusions, CMP Code Numbers 4301 and 4311), and effective July 1, 1945, a warehouse may but need not deliver extrusions on orders other than those he is required to fill under paragraph (h) (1).

(3) The restrictions of this regulation do not apply to aluminum powder, flake, pigment, or paste delivered for the purpose of making paint, ink, or other coating or liquid welding compound. Such aluminum powder, flake, pigment or paste may be delivered by a distributor on rated or unrated purchase orders subject to the provisions of Priorities Regulation No. 1.

(4) No person shall place "deferred" ("Z") orders or unrated orders for delivery from warehouses which aggregate more than 10,000 pounds of sheet, strip or plate; 4,500 pounds of wire, rod and bar or more than 3,000 pounds of tubing, extrusions, or structural shapes for delivery in one month.

A warehouse may reject any order which it is otherwise required or permitted to accept if the order is for delivery at one time to one destination of more than 2,000 pounds of any gauge, alloy and sizes of aluminum sheet, strip or plate, or more than 900 pounds of any alloy shape and size of aluminum wire, rod and bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making or withholding deliveries of steel, brass mill products, copper wire mill products

or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order which a distributor is required to fill, requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided*, That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, which he is required to fill shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) [Deleted July 10, 1945.]

(n) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

(o) *Processing customer's material.* A warehouse or distributor that has facilities for slitting, trimming, bending, etc., may accept controlled material from his customer and re-deliver to him without requiring an authorized controlled material order or other authority as required by this regulation, as long as such work does not interfere with filling authorized controlled material orders.

(p) *Preference in filling orders.* Irrespective of the time the order is received,

a distributor or warehouse must not fill an order if filling it would prevent filling another order on hand which calls for delivery of the same item within the next 30 days and which is in a prior class in the following series:

- (1) Orders rated AAA.
- (2) Authorized controlled material orders, other than orders bearing a CMP allotment symbol including the letter Z; orders specifically authorized by the WPB, and orders for steel described in subparagraph (d) (2) of this regulation.
- (3) Orders bearing a CMP allotment symbol including the letter Z.
- (4) Unrated orders.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (c) (3) of CMP Regulation No. 4 are not deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders. (Issued Feb. 27, 1943).

[F. R. Doc. 45-12503; Filed, July 10, 1945;
11:46 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended
July 10, 1945]

TEXTILE BAGS

The fulfillment of requirements for the defense of the United States, has created a shortage in the supply of new and used textile bags for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3270.23 Conservation Order M-221—

(a) *What this order does.* This order places limitations on the manufacture, delivery and use of textile bags. There are various restrictions on bag makers, such as the requirement of standard size bags for packing certain commodities (paragraph (e)). The bag makers' inventories of cotton textiles are also restricted (paragraph (c)). There are also various general restrictions on the delivery and use of new and used textile bags, such as the prohibition against converting and delivery of new and used textile bags (paragraphs (j) (1) and (j) (2)), and the requirement on the users' inventories of such bags (paragraphs (k) (1) and (k) (2)). There are also special restrictions on the use of new textile bags such as requirements that only certain products may be packed in such

bags (paragraphs (n) and (o)). There are also certain special restrictions covering used textile bags, such as requirements on commercial emptiers with respect to the time limit on holding empty bags (paragraph (s)).

(b) *Definitions.* Wherever used in this order: (1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton or twisted paper yarns, but excepting bags made from flannel, shopping bags, carry-out bags and combination textile paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or fabric has been previously used.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) "Commercial emptier" means any person who, in the preceding three months, acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

(9) "Agricultural products" includes, but is not limited to, beans; chocolate; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(10) "Wool bags" mean any new or used textile bag made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a "wool bag" when it is no longer capable of carrying any of the following: Fleece wools, grease wools, pulled wools, scoured wools, nolls, wool wastes or mohair.

RESTRICTIONS ON BAG MAKERS

(c) *Inventories of cotton textiles.* In addition to the restriction on the inventories of cotton textiles in Order M-317, no bag maker shall accept delivery of any cotton textiles as defined in Order M-317 which will increase his inventory of such cotton textiles to more than his reasonable requirements for the next 60 days, except that whenever such inventory is less than a 60-day supply, he may accept the minimum delivery customarily required by his supplier. For the purpose of this paragraph, a bag maker shall be deemed to "accept delivery" of such cotton textiles when he either takes legal title to such textiles or physical possession or control of them (whichever event occurs first) except that he may exclude

from his inventory those textiles which are in transit to him or in transit to the finisher for his account. However, in addition to the above inventory restrictions, a bag maker's inventory as defined above plus such cotton textiles in transit to him or in transit to the finisher for his account must not exceed at any time his reasonable requirements for the next 90 days.

(d) *Rules applicable to inventory restrictions.* All bag makers owned or controlled directly or indirectly by the same person shall be deemed to be a single bag maker for the purpose of applying the inventory restrictions of this order. Any bag maker who accepts cotton textiles at more than one plant must apply the inventory restrictions of this order to the collective operations of all its plants. In the case where a bag maker is also engaged in the business of manufacturing cotton textiles, the inventory restrictions of this order shall apply to such a bag maker as if his operations as a bag maker are done by a separate person.

(e) *Bag sizes for certain commodities.* Except for bags to be exported, empty or filled, no bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs., or in any of the sizes specified below for that commodity.

Commodity	Bag size (net weight capacity unless otherwise specified)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) ¹	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes ²	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-60-100 lbs.
Seeds	2-5-10-25-50-100 lbs. 1, 2 bu. ³
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

¹ "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, promoted, enriched, phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

² These restrictions do not apply to open mesh bags used for packing potatoes.

³ Additional sizes are permitted as follows: 8 lb. or ½ bu. of hybrid seed corn; 3 bu. for cotton seed.

(f) *Other prohibitions on bag makers—*(1) *Jeans.* No bag maker shall use cotton fabrics known as "Jeans" (CPRB Class 16A) for any other purpose than for making bags to pack silica gel or other desiccants.

(2) *False seams.* No bag maker shall manufacture any new textile bag in a manner that wastes materials, as for example, with a false seam that enables the bag to be packed with a lesser amount of any commodity than the bag would hold if there were no false seams.

(3) *Overstitching.* No bag maker shall overstitch the raw edges or selvage edge of any new cotton textile bag.

(4) *Dress prints.* The total linear yards of "dress prints" cut up by a bag maker in any calendar quarter to make textile bags must be limited to one or the other of the following quotas. One of these quotas must be chosen and may not be changed during any calendar year: (i) 25 per cent of the bag maker's "total cut-up" of "dress prints" in the calendar year 1944 to make textile bags; (ii) 100 per cent of the bag maker's "total cut-up" of "dress prints" in the corresponding quarter of 1944 to make textile bags. For the purpose of this subparagraph, the term "total cut-up" means the total linear yardage of "dress prints" converted into textile bags, and the term "dress prints" means those cotton fabrics dyed in solid colors or printed or woven with patterns or designs in the piece goods.

RESTRICTIONS ON DELIVERY OR USE OF NEW OR USED TEXTILE BAGS

(g) *Joint responsibility.* No person shall sell or deliver cotton textiles or new or used textile bags which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Use of preference rating.*—(1) *Bag makers.* A bag maker obtains his burlap for the manufacture of textile bags under the provisions of Order M-47 which allocates certain quantities of burlap to him, and no preference ratings are needed by him for such purchases. A bag maker's use of preference ratings for purchasing cotton textiles for the manufacture of textile bags is controlled by the provisions of Orders M-317 and M-317A.

(2) *Users of textile bags.* No preference rating shall be applied or extended to obtain delivery of new or used textile bags, except a rating which has been specifically assigned for textile bags by the Army, Navy, Maritime Commission or War Shipping Administration (including persons who have been specifically assigned ratings by the Maritime Commission on Form WPB-646) for the direct or ultimate delivery of such bags either filled or empty to them.

(i) *Bags to be fully packed.* No user (excluding the Army and the Navy) shall use a new or used textile bag that is larger in size than the bag customarily used by the trade for packing the number of pounds of the commodity that he is packing.

(j) *Converting or delivery of textile bags.* Except as stated below, no person shall commercially convert any new or used jute, burlap or cotton textile bag into an article for any other use than as a bag, and no person shall commercially deliver any new or used jute, burlap or cotton textile bag, if he knows or has reason to believe that such bag will be used for any purpose other than as a

bag. These restrictions shall not apply to (1) used cotton liners; (2) used cotton textile bags which are commonly known in the trade as "No. 2 quality bags", that is, bags which are caked, badly stained, badly torn (including ragged tops or large hand-sewn holes), or double-marked (printed on both inside and outside of bag); (3) used jute or burlap textile bags which have no commercial use as bags, with or without mending.

(k) *Users' inventories.*—(1) *New textile bags.* No user shall accept delivery of or have set aside for his account, any new textile bags which will increase his inventory of new textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for packing the commodities which are permitted to be packed in such bags by this order. Except in the case of bags required by a user for packing a seasonal commodity, (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of new empty textile bags which will be required to carry on his business during the next sixty days.

(2) *Used textile bags.* No user shall accept delivery of, or have set aside for his account, any used textile bags which will increase his inventory of used textile bags (including those held by others for his account as well as those he has on hand) to more than a practicable minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal commodity (whether or not produced by him) (see Interpretation 1A to Priorities Regulation 1) such inventory shall not exceed the aggregate number of used empty textile bags which will be required to carry on his business during the next sixty days.

(l) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products.

(m) *Mohair bags.* No user shall use any new or used textile bags for packing mohair, unless the word "mohair" appears in legible type on both sides of the bag.

SPECIAL RESTRICTIONS ON NEW TEXTILE BAGS

(n) *Products permitted for new burlap bags.* No person shall use any new textile bag made of burlap for packing fish meal, fish scrap, tankage, meat scraps or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; crushed oyster shells; fertilizer; meat; mohair; petroleum waxes; stearic acid; wool or wool products; or chemicals for export. These restrictions do not apply to surplus new military sand bags which may be used to pack any product.

(o) *Products permitted for new cotton bags and open mesh bags made of cotton or twisted paper yarn.*—(1) *Permitted products.* No user shall use any new textile bag made of cotton or open mesh bag

made of cotton or twisted paper yarn for packing fish meal, fish scrap, tankage, meat scraps, or for any purpose other than the packing of the following permitted products: agricultural products; abrasives; chemicals; cements; coins; currency; fertilizer; glue; gypsum; malt; meat; paste; plaster; samples; sand; securities; shell fish; small parts; tire chains; or such other uses as may be authorized by the War Production Board in writing pursuant to paragraph (o) (2) below.

(2) *Applications.* Applications for such authorizations should be made on Form WPB-1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new bags, the availability of the supply, and the availability of used bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

(p) *Certification.* No person shall sell or deliver any new textile bags in quantities of over 1,000 unless he has received from the purchaser a certificate signed manually or as provided in Priorities Regulation 7. This certificate shall be in substantially the following form, and once filed by a purchaser with a supplier covers all future deliveries from the supplier to that purchaser:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-221 of the War Production Board, and that all purchases from you of items regulated by that order, and the use of the same by the undersigned, will be in compliance with the order as amended from time to time.

The standard certificate provided for in paragraph (d) of Priorities Regulation 7 cannot be used in place of the above certificate nor may the certificate be waived in accordance with paragraph (f) of that regulation.

SPECIAL RESTRICTIONS ON USED TEXTILE BAGS

(q) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or for delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further reuse.

(r) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

(s) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal amount of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal reuse.* If the commercial emptier needs the bags for packing a

seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restrictions of paragraph (k) (2) above.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

GENERAL EXCEPTIONS

(t) *Bags for certain Government agencies.* The provisions of this order (except paragraphs (c), (d), and (h) (2)) shall not apply to (1) textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of the Government agencies or persons listed below, or (2) textile bags for delivery of a product for the account of any of the agencies or persons listed below, provided the packing specifications call for textile bags, or (3) the purchase, acceptance, use or export of textile bags by these agencies or persons: Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department, any agency procuring for delivery pursuant to the act of Congress of March 11, 1941 entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), Veterans' Administration and Maritime Commission or War Shipping Administration of the United States (including persons operating vessels for such Commission or Administration for use thereon and other persons whose purchase orders bear a preference rating for textile bags assigned by the Maritime Commission under Form WPB-646 (formerly PD-300)).

(u) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person is permitted to export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Application for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

(v) *Exception for mailing bags.* The provisions of this order (except paragraphs (c), (d), (h) (2)) shall not apply to any textile bag which is purchased or used for commercial shipment of articles in the United States mails. In any case where a textile bag which was purchased for such mailing purposes is not used for these purposes, then the use of the bag is subject to the provisions of this order.

MISCELLANEOUS PROVISIONS

(w) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall,

unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref: M-221.

NOTE: Paragraphs (x), (y), (z), and (aa), formerly (aa), (bb), (cc) and (dd), redesignated July 10, 1945.

(x) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington 25, D. C. Ref: M-221. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in excessive and individual hardship, and such other statistical and narrative information as may be pertinent.

(y) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(z) *Budget approval.* The application and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(aa) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction, may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 10th day of July 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-12505; Filed, July 10, 1945;
11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1375—EXPORT PRICES

[2d Rev. Max. Export Price Reg., Amdt. 18]

TEXTILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The proviso appended as a footnote to section 8.2 of the Second Revised Maximum Export Price Regulation is amended to read as follows:

Provided, however, That shipments may be made at contract prices, against firm contracts made in conformity with this regulation prior to June 4, 1945, if the exporter then had in his possession a valid export license for the textiles described in the contract or if an export rating for such textiles had theretofore been extended to him by the holder of such license, provided that delivery is made to the carrier prior to October 4, 1945.

This Amendment No. 18 shall become effective July 10, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12476; Filed, July 10, 1945;
11:31 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Corr. to Amdt. 119]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

In Appendix K, Table 3 (Maximum Prices for Apples), footnote 4, the Column 5 price through July 20, 1945, for Item 12 (barrel) is changed from "\$13.80" to "\$10.35".

This correction shall be effective as of June 25, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12480; Filed, July 10, 1945;
11:32 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 111]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 5 is amended in the following respects:

1. Section 13.7 (a) (3) is amended to read as follows:

(3) Application may be made at any time between March 1, 1945 and March 15, 1945, on OPA Form R-315, and must state:

(i) The date after March 3, 1944 on which he started to use lard, and the date after April 16, 1944, on which he started to use shortening, cooking or salad oils; and

(ii) His best estimate of the amount of such foods used between the date reported in (1) and January 19, 1945.

2. Section 13.7 (a) (5) is amended to read as follows:

(5) If the District Office finds that the facts stated in the application are true, it shall register the applicant and grant him a base in the following way:

(i) The quantity of lard, shortening, cooking and salad oils of which he made an institutional use for refreshment services between March 3, 1944 (in the case of lard) or April 16, 1944 (in the case of shortening, cooking or salad oils) and January 19, 1945 is divided by the

¹ 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5664, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 13919.

number of days from the earliest date reported in (3) (i) to January 19, 1945;

(ii) The figure obtained in (i) is multiplied by 30;

(iii) The result in (ii) is converted into points by multiplying by 6 (the conversion factor); and

(iv) His refreshment base for foods covered by Revised Ration Order 16 is then determined in accordance with section 7.1 (c).

3. A new section 13.7 (c) is added to read as follows:

(c) The Board shall, for each institutional user who was granted a base under this section, recompute that base in accordance with paragraph (a) (5), as amended. That base, as recomputed, shall be used as his base for determining his refreshment allotments for foods covered by Revised Ration Order 16 for the July-August 1945 and subsequent allotment periods.

4. A new section 13.7 (d) is added to read as follows:

(d) The District Office may permit a person, otherwise eligible to register and obtain a refreshment base and allotment under this section, and who failed to apply at the time required, to register and apply for an allotment at a later date. His allotment is computed in the same way as that of an institutional user who registered on time. However, the amount of the allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time he registers. In addition, he may not receive any allotments for expired allotment periods.

This amendment shall become effective July 9, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12456; Filed, July 9, 1945;
4:11 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 344,¹ Amdt. 4]

NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 344 is amended in the following respects:

1. Paragraph 1347.751 (b) is amended to read as follows:

(b) This regulation shall not apply to sales or deliveries of unsorted or mixed

¹ 7 F.R. 9732, 8 F.R. 3845, 6109, 7350, 7821, 7199, 13049, 17483; 9 F.R. 6107, 8056, 11108; 10 F.R. 1787.

new cotton, linen or underwear cuttings to a purchaser who is not a consumer and who sorts the cuttings in the course of a regular rag packing operation. In connection with every such sale however, the purchaser must warrant in writing to the seller that he will not use the material as a consumer thereof nor resell it as unsorted or mixed cuttings to a consumer; these warranties must be kept in the seller's records in the manner provided in § 1347.757 of this regulation. Where unsorted or mixed new cotton, linen or underwear cuttings are bought, at any level, for other than sorting in the course of a regular rag packing operation the maximum price shall not exceed the maximum price prescribed by this regulation for the lowest grade contained in the assortment. No new cotton, linen or underwear cuttings which conform with the specifications of any grade listed in Appendix A shall be considered to be unsorted or mixed.

2. The heading of Appendix A is revised to read as follows: "APPENDIX A—MAXIMUM PRICES FOR NEW COTTON, LINEN AND UNDERWEAR CUTTINGS FOR ALL SALES OTHER THAN FROM ARMY, NAVY AND MARINE DEPOTS."

3. A new Appendix B is added to read as follows:

APPENDIX B.—MAXIMUM PRICES FOR NEW COTTON, LINEN AND UNDERWEAR CUTTINGS FROM ARMY, NAVY AND MARINE DEPOTS.

Sales from Army, Navy and Marine Depots shall be priced f. o. b. depot and maximum prices for the respective grades, f. o. b. depot, shall be 0.25 cents per pound less than the corresponding delivered prices specified in Appendix A. All other provisions of Appendix A shall apply to sales under Appendix B except that brokerage may be accepted or paid on such sales, such brokerage not to exceed 5% of the applicable Appendix B maximum prices.

This amendment shall become effective July 14, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12458; Filed, July 9, 1945;
4:12 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 123]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In section 15, Appendix J, paragraph (a) the phrase "Apricots (all varieties)" is changed to read "Apricots (all varieties except Yakimenes, also called Shensi or Acme apricots)".

This amendment shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

Approved: June 27, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the exemptions of Yakimenes from price control is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12459; Filed, July 9, 1945;
4:12 p. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMPR 125,¹ Amdt. 9]

NONFERROUS CASTINGS

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 125 is amended in the following respects:

1. A new § 1395.2a (b) is added to read as follows:

(b) *Aluminum and magnesium airframe sand castings*—(1) *Election to determine maximum prices under this paragraph (b).* The maximum prices provided by this paragraph for aluminum and magnesium airframe sand castings are applicable only to sellers who wish to price by this paragraph rather than by §§ 1395.3 and 1395.4. This paragraph (b) shall be applicable to all sales of aluminum and magnesium airframe sand castings by a seller who elects to price under it. Thus, a seller who wishes to sell any aluminum and magnesium airframe sand castings under this paragraph must sell all such castings under it. Such a seller may, however, exclude outstanding orders from his election or may elect to price under this paragraph beginning at some date in the future.

An election to price under this paragraph shall be made by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington 25, D. C. Such election by letter shall be effective upon acknowledgment in writing by the Office of Price Administration.

Any seller who has elected to price under this paragraph will be relieved of such election and may resume pricing under §§ 1395.3 and 1395.4 ten (10) days after sending notice to that effect by registered mail to the office of Price Administration, Washington 25, D. C.

(2) *Specific maximum prices for airframe castings meeting certain specifications*—(i) *Base prices for airframe sand castings.*

NOTE: The prices set out in the following table are in cents per pound, except those

¹ 8 F.R. 1271, 2597, 2721; 9 F.R. 576, 3856, 5590, 12266; 10 F.R. 1976, 4100, 5044.

in Columns 1 and 2 which apply to castings weighing $\frac{1}{4}$ pound or less. Per piece prices are set out in Columns 1 and 2 for castings weighing $\frac{1}{4}$ pound or less. Weight on delivery is controlling. In the columns below,

the range in each case is inclusive of the greater weight but not of the smaller weight. This table applies to magnesium as well as aluminum castings but a special addition is provided below for magnesium castings.

TABLE OF DOLLARS AND CENTS BASE PRICES
[F. o. b. seller's plant]

Group classification	Weight ranges in pounds per casting						
	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
	0 to $\frac{1}{4}$ pound— Price per piece	$\frac{1}{4}$ to $\frac{1}{2}$ pound— Price per piece	$\frac{1}{2}$ to 1 pound— Price per pound	$\frac{1}{2}$ to 1 pound— Price per pound	1 to 3 pounds— Price per pound	3 to 5 pounds— Price per pound	5 to 10 pounds— Price per pound
"A"—No core.....	\$0.25	\$0.35	\$0.90	\$0.80	\$0.70	\$0.60	\$0.50
"B"—1 core.....	.25	.35	1.10	1.00	.85	.75	.65
"C"—2 cores.....	.25	.35	1.25	1.15	1.05	.90	.80
"D"—3 or 4 cores.....			1.50	1.35	1.20	1.10	.95
"E"—5 or 6 cores.....				1.60	1.45	1.30	1.15

(ii) *Extras.* The following extras or premiums may be added to the base price when applicable. These extras are cumulative and as many as are applicable may be added. However, where stated as a percentage, such extras are to be figured as a percentage of the base price only.

- (a) Heat treating..... 5¢ per lb.
- (b) X-ray..... 10% of base price.
- (c) Hydrostatic pressure testing..... 25% of base price.
- (d) Casting made from alloys included in Group 7, aluminum base alloys, \$1395.3
- (e)..... 60% of base price.

(iii) *Addition for magnesium castings.* To the applicable base price and extras set out above add 100% to determine the maximum price of a magnesium casting.

(iv) *Addition for machining.* The maximum price of a machined casting shall be figured by adding to the price of the rough casting as determined above an amount equal to the cost of machining as determined by the seller's pricing formula plus his formula markup on such cost.

(3) *Maximum prices for air frame sand castings which cannot be priced under subparagraph (2) above.* The maximum price of any aluminum or magnesium air frame sand casting of such specifications that it cannot be priced by reference to the table and extras above, shall be determined by the seller's pricing formula established and applied as required by § 1395.4. If the seller has such a formula on file with the Office of Price Administration in Washington, D. C., he shall continue to use it. If the seller has no such formula on file he should submit one to the Office of Price Administration, Washington 25, D. C., for approval. Any seller whose formula makes no provision for machining should supplement his filing if he proposes to sell any machined airframe sand castings and make the addition permitted by subparagraph (2) (iv) above.

Only a pricing formula which bases prices on cost estimates shall be considered a pricing formula for the purpose of this provision. No seller who elects

to price under this paragraph (b) will be either required or permitted to price on a flat price basis those castings which cannot be priced by reference to the table and extras above.

(4) *Small order exemption.* The small order exemption set out in § 1395.1 (b1) is not applicable to sales of airframe sand castings by any seller who elects to determine his maximum prices for such castings under this paragraph (b). However, the following exemption is applicable to such a seller.

Sales of airframe sand castings by a seller who elects to price under this paragraph (b) shall be exempt from this regulation and the General Maximum Price Regulation if the following three conditions are met:

(i) The particular order does not exceed 25 castings from the same design of pattern or 100 pounds in weight;

(ii) The particular order, plus all other exempt orders from the same buyer within the past 30 days, does not exceed 50 castings from the same design of pattern or 300 pounds in weight; and

(iii) The seller indicates on his invoice that the particular order is exempt from price control as a small order.

(5) *Definitions.* (i) "Airframe sand casting" means a casting made in a sand mold and used in the construction of the framework of an aircraft or in the attachment of any unit to the aircraft. By way of illustration but not of limitation, it includes parts of the fuselage, wings, tail-plane, landing gear, operating mechanisms, gun mounts, rocket launching devices and the like. It does not include integral parts of the power plants; instruments, firearms and the like.

(ii) "Aluminum" means aluminum and aluminum base alloy.

(iii) "Magnesium" means magnesium or magnesium base alloy.

This amendment shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12457; Filed, July 9, 1945; 4:11 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[Restaurant MPR 9-2]

FOOD AND DRINKS SOLD BY EATING AND DRINKING ESTABLISHMENTS IN THE TERRITORY OF PUERTO RICO

In the judgment of the Price Administrator the prices of food and drinks sold in the Territory of Puerto Rico have risen and are threatening further to rise to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Price Administrator the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Act. This regulation establishes as maximum prices for food and drinks sold in the Territory of Puerto Rico, those prevailing during the seven day period beginning October 15, 1944, and ending October 21, 1944.

Sec.

1. Prohibitions.
2. Evasion.
3. Permitted practice.
4. Records.
5. Filing of menus.
6. Definitions and explanations.
7. Ceiling prices for "eating and drinking establishments."
8. Posting.
9. Transfers of business.
10. Rules for operation of several establishments.
11. Rules when moving your establishment or changing type of operation.
12. Petitions for adjustment.
13. Petitions for amendment.
14. Exemptions.
15. Violations.
16. Special orders.
17. Geographical application.

AUTHORITY: § 1418.165 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

SECTION 1. *Prohibitions.* Sales at higher than ceiling prices prohibited. If you own or operate an eating or drinking establishment, you must not sell or offer any meal, food item or drink at a price higher than the ceiling price (maximum price) established by this regulation. You may, of course, sell at lower than ceiling prices.

SEC. 2. *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device whatsoever, including, but not limited to the following practices which will be regarded as evasive:

(1) You may not drop food items from meals, or reduce the quality or quantity of any meal, food item or beverage, unless you reduce your price accordingly.

(2) You may not increase your price for a meal, food item, or beverage because of an improvement in the quality or increases in the quantity of the food, or beverage served or the addition or substitution of side dishes.

(3) You may not withdraw the offer, or increase the price of any meal ticket, weekly rate, or other arrangement, by

which customers may buy food for less than when they buy it by item or meal.

(4) You may not increase any cover, minimum, bread-and-butter, service, corkage, entertainment, checking, parking, or other special charges, or increase any extra charge for the sale of a food item or meal to be eaten off the premises, or make any of these charges that were not in effect on October 15 to 21, 1944. However, a cover or minimum charge in effect October 15 to 21, 1944, may be increased where it was your practice to vary the charge in accordance with the type of entertainment offered, and the increase does not cause the charge to go above the highest charge made in 1944 under the same conditions. If during October 15 to 21, 1944, you had any of the above charges on one of several days of the week or at certain times of the day, you may not make the charge on other days of the week or other times of the day.

(5) You may not drop a "no tipping" practice, unless you reduce your price accordingly.

(6) You may not require, as a condition of selling a meal, food item, or beverage, the purchase of other meals, food items or beverages.

(7) You may not reduce the selection of meals offered at table d'hôte prices when the food items you customarily offered in such meals are being offered at a la carte prices which, when added together, total more than the table d'hôte prices for the complete meals or give your customers less value for their money.

(8) You may not make merely a token offering of meals, food items, or beverages in required price ranges or price groups at or below your middle price group (see section 7 (h)) that is, not prepare and offer enough to meet expected demands.

SEC. 3. Permitted practice. (a) You may do the following when necessary because of rationing or allocation restrictions or scarcity even though you did not do it during October 15 to 21, 1944.

(1) You may limit your customers to one pat of butter per meal, or eliminate it entirely. If you drop it altogether, you must serve with each meal a substitute, such as jam, jelly, marmalade, peanut butter, etc.

SEC. 4. Records. (a) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the OPA.

(b) *Records of the base period.* You must keep available for examination by any person during business hours a copy of each menu used by you during the period from October 15 to 21, 1944. If you did not use menus, or no longer have previous menus available, you must prepare in duplicate and make available for such examination a list of the highest prices you charged in the period from October 15 to 21, 1944.

(c) *Future records.* Beginning with the effective date of this regulation, and

for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, you must keep for examination by the Office of Price Administration the following:

(1) One of each of the menus used by you each day. If you do not use menus you must prepare and preserve for such examination a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals.

(2) Copy of the invoices of purchases made from wholesalers.

SEC. 5. Filing of menus. (a) If you open for business after July 14, 1945 you must file with your War Price and Rationing Board, within one week after the first day of operation a copy of each menu bill of fare, or other price list of meals, food items, and beverages, as well as a copy of any special charges, such as cover, minimum, service, corkage, entertainment, checkroom, and parking in use during the seven day period beginning with the first day that your place was open for business. If you did not use menus, bills of fare, or price lists in that period, or if you did not list all meals, food items or beverages then offered, you must file with the Board a list in menu form showing the prices which you charged during the seven-day period for meals, food items or beverages which are not shown on any menus, bill of fare or price lists, which you may file hereunder. Each menu or list so filed must be signed by you, and must also have upon it the name and address of your establishment. You must keep a copy of each such menu or list.

SEC. 6. Definitions and explanations. (a) "Eating or drinking establishment" means any place, establishment, or location, whether temporary or permanent, where meals, food items or beverages are sold or served primarily for consumption on or about the premises. The term eating and drinking establishment includes, but is not limited to, establishments such as restaurants, hotels, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, luncheon wagons, and hot dog carts.

(b) "Food item" means an article or portion of food sold or served by an eating or drinking establishment to be eaten on or off the premises. It may include two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, rice and beans.

(c) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food prepared or served to be eaten together as one dish are not a "meal."

(d) "Offer" means offer for sale and includes the listing or posting of prices for meals, food items, or beverages, even though such meals, food items and beverages so offered were not actually on hand to be sold.

(e) "Beverage" means all alcoholic or non-alcoholic prepared or unprepared drinks sold or served by an eating or drinking establishment for consumption on the premises.

(f) "War Price and Rationing Board" means the Price Panel of each War Price and Rationing Board of the Office of Price Administration for the area in which your establishment is located.

SEC. 7. Ceiling prices for "eating and drinking establishment." (a) Your ceiling price for any "meal", "food item", or "beverage", is the highest price at which you sold or offered to sell the same meal, food item or beverage during the seven-day period from October 15 to 21, 1944.

(b) Your ceiling prices for any "meal", "food item", or "beverage" not sold or offered for sale during the seven-day period from October 15 to 21, 1944, shall be determined as follows:

(1) If you sold or offered to sell at any time during September 17 to October 14, 1944, and you have and retain menus or other records of the prices you charged then, your ceiling price is the highest price at which you sold or offered to sell that particular meal, food item, or beverage during that period.

(2) Your ceiling price for all other meals, food items, or beverages is a price "in line" with your other ceiling prices. A price for a meal, food item, or beverage is "in line" with the price of another meal, food item, or beverage if the customer gets the same value for his money in terms of quality and size of portion and if the margin over current raw food or beverage costs is approximately the same. Any ceiling price figured under this subparagraph (2) cannot be more than the highest price at which you offered a meal, food item, or beverage of the same class during the seven-day period, from October 15 to 21, 1944 (see paragraph (g) below). If you did not sell or offer to sell a meal, food item or beverage of the same class during October 15 to 21, 1944, figure your price under paragraph (e) below.

(c) Your ceiling prices for an establishment not in operation during October 15 to 21, 1944, inclusive, but in operation before the effective date of this regulation are the ceiling prices properly filed pursuant to Registration Order No. 2, issued by the Director of the Territorial Office for Puerto Rico on October 20, 1944. You must also observe all the applicable rules stated in this section (7). In applying these rules substitute the dates of your first week of operation for the period of October 15 to 21, 1944.

(d) Your ceiling prices for new establishments which may open after the effective date of this regulation and for any establishment which has not complied with Registration Order No. 2 are the ceiling prices of your closest competitor of the same type in the same locality.

If there is no competitor of the same type in the same locality, you must file an application thru your Local War Price and Rationing Board with the Office of Price Administration of San Juan, Puerto Rico, for approval of the ceiling prices. The prices so established shall

be in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate or plan to operate, giving such information as seating capacity, estimated number of people to be served, type of equipment, and type of establishment; a copy of your proposed menu if you have one.

(3) Your ceiling prices or proposed ceiling prices and classes of meals, food items, or beverages you serve or plan to serve. In preparing the list use the classes of food items listed in Appendix A.

(4) The date you opened or plan to open.

(5) The names and addresses of the two nearest establishments most like yours.

(e) Your ceiling prices for new classes of meals, food items, or beverages which cannot be determined under any one of the above paragraphs are the ceiling prices of your closest competitor of the same type in the same locality.

If there is no competitor of the same type in the same locality offering that class of meals, food items, or beverages, you must file an application thru your Local War Price and Rationing Board with the Office of Price Administration for approval of ceiling prices in line with the level of ceiling prices otherwise established by this regulation. The application must contain the following information and any other information which the Office of Price Administration may request:

(1) Your name and address and the name and address of your establishment.

(2) A brief description of the business you operate, giving such information as seating capacity, number of people served per day, gross sales for the last thirty days, type of equipment, and type of establishment; a copy of your present menu.

(3) The additional Meals you plan to serve and the proposed ceiling prices with the raw food costs.

(4) The names and addresses of the two nearest establishments most like yours, offering the same type of menu you plan to serve.

You may not sell the meals, food items, or beverages for which maximum prices are requested under paragraph (d) or (e) until those prices have been approved by the Office of Price Administration, but the proposed prices shall be considered approved twenty days after mailing the application (or all additional information which may have been requested), unless within that time, the Office of Price Administration advises you that your prices have been disapproved.

The Office of Price Administration may at any time disapprove or revise ceiling prices proposed or established under paragraph (d) or (e) so as to bring them into line with the level of ceiling prices otherwise established by this regulation for eating and drinking places in the same area.

(f) *Substitution of food items or beverages.* You may substitute for any food item or beverage in a meal any other food item or beverage not offered during October 15 to 21, 1944, without refiguring your ceiling price only if the substitute food item or beverage costs you at least as much and also gives customers at least the same value as the food item or beverage substituted and is in the same class. Otherwise, you must refigure your ceiling price for the meal in accordance with paragraph (b) above.

(g) *Classes of meals, food items, and beverages; basic rules.* Meals, food items and beverages are divided into classes (see paragraph below for a description of these classes). With the exceptions listed under this section 7, you may not charge more for any meal, food item, or beverage than (1) the highest price at which you sold or offered to sell a meal, food item, or beverage of the same class during the base period, October 15 to 21, 1944, or (2) during September 17 to October 14, 1944, for particular meals, food items, or beverages sold or offered for sale during that period but not during October 15 to 21, 1944, as stated in paragraph (b) above.

The "Class" in which any meal, food item, or beverage belongs depends on the following tests:

(1) Whether the food item falls into one of the groups listed in Appendix A. For example, steak dinners are in a different class than fish dinners and steak dinners are in a different class than steak served "a la carte".

(2) What it is usually called, for example: breakfast, lunch, dinner, supper.

(3) The nature of the service you give, if that was a customary basis for charging different prices during the base period; for example, banquets, special group luncheons, hotel room service are separate classes of meals, food items, or beverages if you customarily charged different prices for them during the base period.

The class into which a meal, food item, or beverage belongs may depend on more than one of the tests listed above. To decide the proper class you must use all the tests which apply. For example, if you charged the same price for a particular meal, food item, or beverage, whenever you served it during the base period, you must use only the first test. On the other hand, if you charged different prices at different times of the day during the base period you must use at least the first and third and any other test which applies.

(h) *Price ranges of meals, food items and beverages.* (1) Your customers must be given a choice of meals, food items, and beverages in the same price ranges as they had during October 15 to 21, 1944, or your first week of operation if you were not open then.

(2) You must offer at least as many meals, food items or beverages in each price group at and below your middle price group as you did during October 15 to 21, 1944, or during your first week of operation if you were not open then. Your middle price is the price nearest the middle of your price range. For example, if you had two breakfasts at 25 cents,

three at 30 cents and two at 35 cents, 30 cents is your middle price group, and you must continue to offer at least two breakfasts at 25 cents and at least three at 30 cents.

SEC. 8. *Posting*—(a) *Statement on menus.* Beginning July 14, 1945 each menu used by you must have clearly and plainly written on it, or attached to it, the following statement:

All prices are our ceiling prices or below. The ceilings are based on prices charged by us from October 15 to 21, 1944. Our menus (or price lists) for that week are here for your inspection.

If your prices are established under section 7 (d) substitute the following statement:

All prices are our ceiling prices or below. By OPA regulation, our ceiling prices must be in line with competitive prices charged from October 15 to 21, 1944. Our menus (or price lists) for our first week of operation are here for your inspection.

(b) *Establishments that do not use menus.* If you do not use menus, you must post the appropriate statement quoted above at a place or places where it can easily be read by your customers, and you must also post your prices for meals and food items and beverages currently offered by you at a place or places where they can easily be read by your customers.

SEC. 9. *Transfers of business.* If you lease or acquire another's business, assets, or stock in trade, your ceiling prices and your duties under this regulation are the same as those of the previous proprietor. He must turn over to you all records which are necessary to enable you to comply with the records and filing provisions of this regulation. You must notify your local War Price and Rationing Board of any change of ownership or locality.

SEC. 10. *Rules for operation of several establishments.* (a) If you own or operate more than one establishment, you must do everything required by this regulation for each place separately.

(b) If you own or operate more than one establishment and close one and open another in the same neighborhood, which upon judgment of the Office of Price Administration is of the same category as the closed one, your ceiling prices and duties for the new establishment under this regulation are the same as the one you closed.

(c) If you own or operate more than one establishment located in two or more War Price and Rationing Boards districts and have established or want to establish the practice of charging uniform prices in all or certain of your establishments, you may apply for a uniform pricing order to the Territorial Office of the Office of Price Administration in San Juan, Puerto Rico.

SEC. 11. *Rules when moving your establishment or changing type of operation.* If you move your establishment or change your type of operation, you must keep the same prices and observe the same requirements as before.

SEC. 12. *Petitions for adjustment.* (a) The Office of Price Administration

may adjust the ceiling prices for any eating or drinking establishment under the following circumstances:

(1) The establishment is operating under such financial hardship as to cause a substantial threat to the continuance of its operation; and

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all eating or drinking services or will have to turn to other establishments which present substantial difficulties as to distance, hours of service, selection of meals, food items or beverages offered, capacity, or transportation; and

(3) By reasons of such discontinuance, the same meals, food items, or beverages will cost the customers of the eating or drinking establishment as much as or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating or drinking establishment which satisfies the above requirements you may apply for an adjustment of your maximum prices by submitting in duplicate to your OPA Local Board a statement setting forth:

(1) Your name and address and the name and address of your establishment.

(2) A description of your eating establishment including: type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch, and dinner), number of persons served per day during the most recent thirty-day period, and any other information which is necessary to describe your establishment and the nature and extent of your operation.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours. (If in your locality there are less than three or no eating places of the same type as yours, give the names of those nearest and if none so indicate).

(5) A list showing your present maximum prices and your requested adjusted prices.

(6) Detailed profit and loss statements for the establishment for:

(i) The most recent three-month accounting period,

(ii) The preceding fiscal or calendar year prior to the date of your application, and

(iii) The fiscal or calendar year approximating the year 1942.

(7) Such other information as your OPA Territorial Director may require.

(c) Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

SEC. 13. Petitions for amendment. If you seek a change in this regulation affecting eating and drinking establishments generally, you may file a petition for amendment in accordance with Revised Procedural Regulation No. 1.

SEC. 14. Exemptions. The provisions of this regulation shall not apply to the following:

(a) Sales by the following eating or drinking establishments or persons, are

specifically exempt from the provisions of this regulation:

(1) Hospitals.

(2) Eating and drinking places operated by a school, college, university, or other educational institution or a student fraternity or other students' organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial business enterprise or undertaking.

(3) Eating and drinking places owned or operated by charitable, religious, or cultural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable, or cultural purposes.

(4) Eating cooperatives formed by officers in the Armed Forces (as, for example, Officer's Mess) operated without profit.

(5) Bona fide clubs which file with their OPA Local Board a statement setting forth that:

(i) The club is a non-profit organization and is recognized as such by the Bureau of Internal Revenue;

(ii) It sells food items and meals only to members and bona fide guests of members;

(iii) Its members pay dues of more than merely nominal amounts (the amount of dues paid by each class of members and the period covered by such dues should be indicated), and are elected to membership by a governing board, membership committee or other body;

(iv) It is otherwise operated as a club and not primarily as an eating or drinking establishment.

If the Office of Price Administration finds that the establishment does not satisfy the above requirements of a bona fide club, it will notify it in writing that it is not exempt from this regulation.

No club organized after the effective date of this regulation shall be exempt unless and until it has filed a request for exemption with its Local Board, furnishing the above information, as may be required, and has been exempted in writing by the Territorial Office of Price Administration in San Juan, Puerto Rico.

(b) Sales of beverages in the container in which it was originally bottled or packed by other than the eating or drinking establishment making the sale. However, these sales continued to be covered by the provisions of the General Maximum Price Regulation and Revised Maximum Price Regulation 183.

SEC. 15. Violations—(a) License suspension. The provisions of Licensing Order No. 1 licensing all persons who make sales under price control apply to you. Your license may be suspended for violation of the provisions of any applicable price regulation. If your license is suspended, you may not, during the period of suspension, make any sale for which your license has been suspended.

(b) *Civil and criminal action.* If you violate any provisions of the regulation,

you are subject to the criminal penalties, civil enforcement actions, licensing suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942 as amended.

SEC. 16. Special orders. The Director of the Territorial Office of Puerto Rico may from time to time issue special orders establishing specific ceiling prices for meals, food items and beverages, which when issued will supersede and take the place of this regulation with respect to the prices established by such orders.

SEC. 17. Geographical application. This regulation applies to the Territory of Puerto Rico.

NOTE: The reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective July 14, 1945.

Issued this 9th day of July 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—GROUPS OF FOOD ITEMS

The groups of food items are as follows:

I. Food Items:

1. Fruit juices, vegetable juices and similar items.
2. Appetizers, all types except alcoholic, fruit juices, vegetable juices, etc.
3. Cereals.
4. Eggs and combination egg dishes.
5. Bread, rolls, buns, toast, doughnuts, and similar items.
6. Jam, jellies, preserves, condiments, and similar items.
7. Griddle cakes, waffles and similar items.
8. Soups, including jellied soups.
9. Steaks; T-bone, sirloin, porterhouse, tenderloin, and prime rib of beef.
10. Beef, steaks other than class 9, roasts, pot roasts, hamburgers, ground beef items, and similar items.
11. Veal; Steaks, cutlets, chops, roasts, and similar items.
12. Pork; steaks, chops, ham, roasts, and similar items, except when served with eggs.
13. Lamb or mutton; chops, roasts, and similar items.
14. Prepared dishes such as stews, casseroles, meat pies, ragouts, curries, and similar items.
15. Miscellaneous and variety meats, such as livers and kidneys, and similar items.
16. Chicken: including broiled, fried, fricassee, creamed, chicken rice, chicken "asopao" and similar items.
17. All other poultry, including roast chicken.
18. Game.
19. Fish.
20. Shell fish, including seafood platters and related stews.
21. All other prepared dishes, such as spaghetti and combinations, vegetable platter, baked beans and combinations, Welsh rarebit, rice and beans, etc.
22. Chop suey, chow mein, and other Chinese foods.
23. Vegetable and salads, served as side dishes.
24. Salads served as main course in meal.
25. Cake, cookies, pies, pastries, and other baked goods.
26. Ice cream, sherbets, water ices, including combination with syrup, cream, sodas, sundaes, milk shakes, and other soda fountain items including ice cream.

27. Seasonal specialties; including but not limited to watermelons, cantaloupes, fresh fruits and fresh berries.

28. Fruits, puddings, cheese, and other dessert items.

29. Cold sandwiches with or without garnishings, salads, and vegetables.

30. Cold cut platters with or without garnishings, salads, and vegetables.

31. Hot sandwiches.

[F. R. Doc. 45-12460; Filed, July 9, 1945; 4:12 p. m.]

PART 1499—COMMODITIES AND SERVICES
[RMPR 165, Rev. Supp. Service Reg. 24¹]

MAXIMUM PRICES FOR CERTAIN SCALING AND INSPECTION SERVICES; LOGS AND LUMBER

Supplementary Service Regulation 24 is redesignated Revised Supplementary Regulation 24 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of Revised Supplementary Service Regulation 24, issued simultaneously herewith, has been filed with the Division of the Federal Register.

§ 1499.2255 *Maximum prices for certain scaling and inspection services; logs and lumber.* The maximum prices for the service of inspecting, grading and scaling logs and lumber established by Revised Maximum Price Regulation 165 are modified in the following respects:

(a) *Hardwood lumber inspections for OPA.* The maximum price for the service of inspecting hardwood lumber, performed by the National Hardwood Lumber Association for the Office of Price Administration shall be, for the services of one inspector at one place \$25.00 per day, with no allowance for hotel expenses, meals, travel or other items of expense. In calculating the amount of time spent, travel time to and from the inspector's headquarters shall not be included.

(b) *Southern pine inspections for OPA.* The maximum price for the service of inspecting Southern Pine lumber performed by the Southern Pine Inspection Bureau for the Office of Price Administration shall be, for the services of one inspector at one place, \$25.00 per day with no allowance for hotel expenses, meals, travel or other items of expense, except that the Southern Pine Inspection Bureau may be reimbursed for any extra labor or material expense incurred in connection with inspection service so performed. In calculating the amount of time spent, travel time to and from the inspector's headquarters shall not be included.

This Revised Supplementary Service Regulation 24 shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12479; Filed, July 10, 1945; 11:31 a. m.]

¹ 9 F.R. 458.

PART 1499—COMMODITIES AND SERVICES
[RMPR 539,¹ Amdt. 1]

CUSTOM MILLING AND KILN DRYING OF WESTERN SOFTWOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 539 is amended in the following respects:

1. Paragraph (c) in section 3 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though performed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner described in subparagraph (3) above: *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. What is a custom mill. A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in

¹ 10 F.R. 3224.

which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in MBM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of MBM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of MBM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

SEC. 4a. Meaning of "financial interest". The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performed milling or kiln drying services by a sawmill, concentration yard, planing mill, wholesaler or commission merchant, or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which performs milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12481; Filed, July 10, 1945;
11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES
[MPR 539B,¹ Amdt. 2]

CUSTOM MILLING AND KILN DRYING OF SOFT
WOODS AND HARD WOODS IN SOUTHERN AREA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

¹ 10 F.R. 3227, 5045.

Maximum Price Regulation 539 is amended in the following respects:

1. Paragraph (c) in section 3 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though performed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner described in subparagraph (3) above, *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. What is a custom mill. A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in MBM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of MBM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of MBM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thickness over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

SEC. 4a. Meaning of "financial interest". The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performed milling or kiln drying services by a sawmill, concentration yard, planing mill, wholesaler or commission merchant, or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which per-

forms milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12482; Filed, July 10, 1945;
11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES [MPR 539C¹, Amdt. 2]

CUSTOM MILLING AND KILN DRYING OF SOFTWOODS AND HARDWOODS IN MIDWEST AND GREAT LAKES STATES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 539C is amended in the following respects:

1. Paragraph (c) in section 3 is amended to read as follows:

(c) Except as may be authorized on application under section 4 (b) below, the following services are not subject to the maximum prices applicable to "custom milling services" even though per-

formed by a "custom mill" as defined in section 4 below.

(1) Milling or kiln drying services performed upon lumber in which the mill performing the service has or had any financial interest, direct or indirect, other than such interest as arises from the performance of the services.

(2) Milling or kiln drying services performed on lumber which was produced by a sawmill, or sold by or handled through a wholesaler or commission merchant, or processed by a concentration yard, any one of which has a financial interest in the mill performing the services.

(3) Milling or kiln drying services performed on lumber which the seller has arranged to have milled or kiln dried in transit and which he sells and ships from the point of origin in any manner other than as a sale f. o. b. sawmill or other point of origin under the appropriate mill regulation.

In any of such cases, the maximum prices which the seller may charge the purchaser for both the lumber and for milling or kiln drying are the ceiling prices fixed in the appropriate mill regulation for the end product reaching the purchaser after milling or kiln drying. In any of such cases, the person performing the milling or kiln drying of the lumber may not invoice the purchaser for custom milling at the maximum prices fixed in this regulation.

Nothing in this section, however, shall prevent the person performing the milling and/or kiln drying services from charging the maximum prices in this regulation to any wholesaler or mill which ships lumber to be custom milled in the manner described in subparagraph (3) above, *Provided*, That the shipper agrees to bear the custom milling charges when the same are not permitted to be passed on to the purchaser under this section.

2. Section 4 is amended to read as follows:

SEC. 4. *What is a custom mill.* A custom mill is an establishment, whether known as a planing mill, distribution yard, or anything else, which performs custom milling services or kiln drying upon softwood or hardwood lumber in which it has or had no financial interest, other than such interest as arises from the performance of the services, and which either:

(a) Meets the following test:

It does not operate, or have a financial interest in a mill which produces lumber, a wholesaler or commission merchant of lumber, or a concentration yard which processes lumber; or

(b) If it cannot meet the above test, applies for and obtains authority to operate as a custom mill under the following rules:

(1) Application must be filed with the Regional Office of the Office of Price Administration for the region in which the applicant's mill is located, specifying

(i) The location of the plant, with a description of the layout of operations in relation to any other activities relating to lumber carried on by the applicant, wherever located.

(ii) The extent of the financial interest in or by any other operations relating to lumber, giving name, location and nature of such other operations.

(iii) If the applicant has any financial interest in a sawmill, or concentration yard, wherever located, a statement of their milling facilities and their capacity in M'BM per day, together with the total footage in rough or surfaced boards, dimension, plank, and timbers, and of green or partially dry lumber in the sizes sold during the six month period preceding date of application.

(iv) If the applicant has any financial interest in a wholesaler, a list of the sawmills from which such wholesaler has purchased lumber during the year preceding date of application, a statement of the number of M'BM sold by such wholesaler which was custom milled or kiln dried in transit during such period in any custom mill and the number of M'BM custom milled or kiln dried in transit during such period at the applicant's mill.

(v) Any other information the applicant may wish to submit which will assist the Regional Office in making the findings set forth below.

(2) Special written authorization under this paragraph (b) will be granted only where the application enables the Regional Office to make findings that the authorization:

(i) Will result in a greater production of surfaced boards or kiln dried lumber.

(ii) Will not encourage producing sawmills having remanufacturing and kiln drying facilities to ship their lumber green, partially dry, rough, or in thicknesses over 1".

(iii) Will provide necessary milling services which cannot reasonably be supplied by producing mills, or by custom mills qualifying under paragraph (a).

(iv) Will not result in unnecessarily increasing the cost of finished lumber to the ultimate consumer.

The Regional Administrator may grant the authority sought, in whole or in part, and may make such limitations and conditions as to its duration and extent as may be appropriate and consistent with the above findings.

3. After section 4, a new section 4a is added, to read as follows:

SEC. 4a. *Meaning of "financial interest."* The term financial interest as used in sections 3 and 4 of this regulation means any ownership or control of the plant which performs milling or kiln drying services by a sawmill, concentration yard, planing mill, wholesaler or commission merchant; or ownership or control of the sawmill, concentration yard, planing mill, wholesaler or commission merchant by a plant which performs milling or kiln drying services, or any common ownership, or control of such plant with one of the other types of operations listed, or any financial interest, direct or indirect, no matter how small, which such plant may have in one of the other types of operations listed, or which such other type of operation may have in the plant performing the services. Financial interest or

¹ 10 F.R. 3229, 5045.

control within the meaning of this section and of sections 3 and 4 shall be presumed where there is any continuing arrangement between the plant performing the milling or kiln drying services and one of the other listed types of operations for the former to rework lumber produced, handled or sold by the latter. Financial interest within the meaning of these sections shall also be presumed where a family relationship, by blood or marriage, exists between the persons owning or operating the plant which performs milling or kiln drying services and one of the other listed types of operations.

The existence of a financial interest, as defined above, between the milling plant and the other listed types of operations effect a financial interest on the part of the plant performing the milling or kiln drying services in lumber sold or handled by such other operations prior to their movement into such plant. As a result, where such financial interest exists, the plant performing milling or kiln drying services which seeks to operate at the maximum prices in this regulation must make application for authority to operate as a custom mill under section 4 (b).

This amendment shall become effective July 16, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12483; Filed, July 10, 1945;
11:32 a. m.]

PART 1499—COMMODITIES AND SERVICES [2d Rev. SR 14, Amdt. 8]

BATTERY SEPARATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Supplementary Regulation 14 to the General Maximum Price Regulation is amended as follows:

In Article III, a new section 3.9 is added to read as follows:

SEC. 3.9 Battery separators.—(a) *Maximum prices.* The maximum price f. o. b. the mill for sales by any manufacturer of Port Orford Cedar or Douglas Fir battery separators produced in the United States shall be an amount equal to that manufacturer's maximum price for the quantity sold computed in accordance with the provisions of the General Maximum Price Regulation, plus 13% of such maximum price so computed.

(b) *Reports.* On or before August 15, 1945, the following manufacturers of Port Orford Cedar or Douglas Fir battery separators shall file with the Lum-

ber Branch, Office of Price Administration, Washington 25, D. C., such data as are required to determine what increase, if any, in prices over those provided under the General Maximum Price Regulation is required by law for the sale by manufacturers of Port Orford Cedar or Douglas Fir battery separators:

Standard Battery Separator Co., Los Angeles, Calif.
Evans Products Co., Coos Bay, Oreg.
Arrow Mill Co., Chicago, Ill.
West Coast Separator Co., Los Angeles, Calif.
Smith Wood Products Co., Coquille, Oreg.
Pacific Wood Products Co., Grant's Pass, Oreg.

The required data shall be submitted on the forms and according to the procedure, provided by the Office of Price Administration.

(c) *Duration of prices.* The prices established in paragraph (a) of this section are effective until such time as the Office of Price Administration may revise said prices as a result of the findings from the study of the reports submitted in accordance with paragraph (b) of this section.

This amendment shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12477; Filed, July 10, 1945;
11:31 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 15, Amdt. 41]

BATTERY SEPARATORS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 15 to the General Maximum Price Regulation is amended by deleting subparagraph (20) to § 1499.75 (a).

This amendment shall become effective July 16, 1945.

Issued this 10th day of July 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-12478; Filed, July 10, 1945;
11:31 a. m.]

Chapter XVIII—Office of Economic Stabilization

[OES Reg. 1, Amdt. 3]

PART 4002—REGULATIONS ON GRADING AND GRADE LABELING

GRADING AND GRADE LABELING OF MEATS

The amendment to Office of Economic Stabilization Regulation No. 1, issued and

17 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13395, 13724, 15197, 16298, 16796, 17228; 9 F.R. 755, 908, 1581, 1948, 2569, 3460, 3653, 3858, 3953, 5806, 6451, 7425, 7775, 8256, 9107, 9271, 10305, 11908, 13961, 15004; 10 F.R. 1668, 3870, 5955, 6232.

effective June 28, 1945 (10 F.R. 8070) and designated Amendment No. 1, is hereby redesignated Amendment No. 3.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 7th day of July 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-12455; Filed, July 9, 1945;
3:30 p. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 88]

BUILDING TRADES EMPLOYERS' ASSN. ET AL. FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

In the matter of Building Trades Employers' Association, et al., Milwaukee, Wisconsin. Case No. S-2237.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER, August 14, 1943, and

Having been advised of the existence of a labor dispute involving members of the Building Trades Employers' Association, Milwaukee, Wisconsin and other building and construction contractors in and around Milwaukee, Wisconsin employing members of the Carpenters' District Council of Milwaukee County and vicinity,

I find that the construction, reconstruction or repair of buildings or other works or facilities, other than construction for ordinary residential purposes, by any of the above concerns, pursuant to contract, oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Dated at Washington, D. C., this 9th day of July 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-12498; Filed, July 10, 1945;
11:43 a. m.]

Wage and Hour Division.

[Administrative Order 356]

SPECIAL INDUSTRY COMMITTEE 4 FOR PUERTO RICO

ACCEPTANCE OF RESIGNATION AND APPOINTMENT

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Ulpiano Casals from Special Indus-

¹ 10 F.R. 1154, 2026, 2161, 2432, 2618, 3551, 4107.

try Committee No. 4 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Santiago Diaz-Pacheco of San Juan, Puerto Rico.

Signed at New York, New York this 2d day of July, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-12453; Filed, July 9, 1945;
12:34 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-649]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

JULY 7, 1945.

Notice is hereby given that on July 4, 1945, an application was filed with the Federal Power Commission by Cities Service Gas Company, a Delaware corporation having its principal place of business at First National Building, Oklahoma City, Oklahoma, for (1) a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, to authorize the applicant's construction and operation of the following-described facilities:

(i) Thirty-two miles of 20-inch gas loop line from applicant's North Welda compressing station, near Welda, Anderson County, Kansas, to applicant's Ottawa compressing station, near Ottawa, Franklin County, Kansas;

(ii) One dust scrubber at applicant's North Welda compressing station, Anderson County, Kansas, and two dust scrubbers at applicant's Ottawa compressing station, Franklin County, Kansas;

(iii) Installation at applicant's North Welda station of two used 485 H. P. Cooper-Bessemer, type 22, compressor units; an extension to the main compressor building and additions to gas and water cooling equipment; and

(2) An order authorizing applicant's abandonment and removal of its Caney-American compressor station located in Sec. 7, T. 35 S., R. 14 E., in Montgomery County, Kansas.

The application states that the facilities proposed to be constructed are required to increase by 70 to 85 million cubic feet per day the deliveries from applicant's Welda storage fields to its Ottawa compressor station. The additional capacity which would be made available by such facilities is said to be required to meet increased peak requirements in the Kansas City, Topeka, St. Joseph, and Sedalia areas. The estimated cost of the proposed facilities is \$863,225. The two additional compressor units proposed to be installed at applicant's North Welda station will be taken from applicant's Caney-American compressor station located in Montgomery County, Kansas, which is proposed to be abandoned.

The application states that because of the changed operating conditions on its system, the Caney-American station is

no longer useful at its present location because of its small capacity. All gas compressed in the Caney area is presently routed through applicant's larger Caney steam station.

Any person desiring to be heard or to make any protest with respect to said application should, on or before the 20th day of July, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-12466; Filed, July 10, 1945;
9:58 a. m.]

FEDERAL SECURITY AGENCY.

Social Security Board.

DIVISION OF EMPLOYMENT AND SECURITY,
MINNESOTA

CERTIFICATION WITH RESPECT TO REDUCED RATES OF CONTRIBUTIONS

Certification to the Division of Employment and Security in the Department of Social Security of the State of Minnesota pursuant to section 1602 of the Internal Revenue Code.

The Director of the Division of Employment and Security of the State of Minnesota, having duly submitted to the Social Security Board, pursuant to the provisions of Section 1602 (b) (3) of the Internal Revenue Code, as amended, the Minnesota Employment and Security Law, as amended by Chapter 376 of the Laws of 1945, effective July 1, 1945; and

The Social Security Board, having considered the provisions of said law to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of Section 1602 of the Internal Revenue Code;

The Board hereby finds that:

(1) Said law provides for a pooled fund as defined in section 1602 (c) (2) of the Internal Revenue Code; and

(2) Reduced rates of contributions under said law to such pooled fund are allowable only in accordance with the provisions of section 1602 (a) (1) of the Internal Revenue Code.

Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the Director of the Division of Employment and Security of the State of Minnesota.

[SEAL] SOCIAL SECURITY BOARD,
A. J. ALTMAYER,
Chairman.

JULY 3, 1945.

Approved: July 9, 1945.

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 45-12475; Filed, July 10, 1945;
11:07 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5352]

SHIRBEE HAT CO., INC.

NOTICE OF HEARING

Complaint. The Federal Trade Commission having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (A) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (U. S. C., Title 15, section 13), hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1: The respondent, Shirbee Hat Company, Inc., is a corporation, organized and existing under and by virtue of the laws of the State of New York with its principal office and place of business located at 42 West 38th Street, New York City, N. Y.

PAR. 2: The respondent, Shirbee Hat Company, Inc., is engaged in the business of manufacturing, distributing and selling various types, styles and grades of millinery.

The respondent has sold, and sells, its millinery in general to jobbers, retail chain stores and to independent retailers. Such millinery is sold by the respondent at prices which range from approximately twelve dollars per dozen to approximately thirty nine dollars per dozen wholesale.

PAR. 3: The respondent, for a substantial period of time since June 19, 1936, in the course and conduct of its business has sold and shipped, and does now sell and ship, such millinery in commerce between and among the various states of the United States from the state in which the respondent's factory or manufacturing plant is located across state lines to various purchasers thereof located in states other than the State in which respondent's factory or manufacturing plant is located.

PAR. 4: The respondent, for a substantial period of time since June 19, 1936, while engaged in commerce as aforesaid among the several states of the United States has been, and is now, in the course of such commerce, directly and indirectly discriminating in prices between different purchasers of millinery of like grade and quality, which products are sold for use, consumption and resale within the several states of the United States, in that the respondent has been, and is now, selling such millinery to some purchasers at a higher price than the price at which such millinery of like grade and quality is sold to other purchasers who are competitively engaged with the favored purchasers.

The extent of said discrimination in prices varies from differentials of approximately five percent to differentials of approximately thirty percent, depending on the type, style and quality of the millinery sold and the customer, or either.

PAR. 5: The effect of the discriminations in prices as hereinbefore set forth may be substantially to lessen competition in the sale and distribution of the said millinery in the respective lines of commerce in which respondent and its customers are engaged, and has been, and may be, to injure, destroy or prevent competition in the sale and distribution of said products with the respondent and with its customers who receive the benefits of such discriminatory prices.

PAR. 6: The respondent's discriminations in prices between different purchasers of millinery of like grade and quality in interstate commerce in the manner and form aforesaid are in violation of the provisions of section 2 (A) of the Robinson-Patman Act further described in the preamble hereof.

Wherefore, the premises considered, the Federal Trade Commission on this 6th day of July A. D. 1945 issues its complaint against said respondent.

Notice: Notice is hereby given you, Shirbee Hat Company, Inc., a corporation, respondent herein, that the 10th day of August, A. D. 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its secretary, and its official seal to be hereto affixed, at Washington, D. C., this 6th day of July A. D. 1945.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12470; Filed, July 10, 1945;
10:50 a. m.]

[Docket No. 5225]

WILLIAM A. HERMAN

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July A. D. 1945.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, July 20, 1945, at two o'clock in the afternoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12471; Filed, July 10, 1945;
10:50 a. m.]

[Docket No. 5231]

CURTIS-ELLIOTT, INC., AND LEROY H. HUTTNER

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of July, A. D. 1945.

In the matter of Curtis-Elliott, Inc., a corporation, and Leroy H. Huttner, an individual, and officer of Curtis-Elliott, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, July 20, 1945, at ten o'clock in the forenoon of that day (eastern standard time), in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-12472; Filed, July 10, 1945;
10:50 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5058]

ERICH MERTON

In re: Estate of Erich Merton, also known as Eric Merton, deceased; File No. D-28-3373; E. T. sec. 1183.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Suzanne Merton and Barbara Merton, and each of them, in and to the Estate of Erich Merton, also known as Eric Merton, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Suzanne Merton, Germany.
Barbara Merton, Germany.

That such property is in the process of administration by the Treasurer of the City of New York as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 27, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12398; Filed, July 9, 1945;
11:00 a. m.]

[Vesting Order CE 21]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with

in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Chane Mindel Roth.....	Poland.....	Estate of Lipa Dim, also known as Lippe Dym, Surrogate's Court, County of New York, State of New York, P-1979-1943.	\$2,803.56	Arie Roth, executor of the Estate of Lipa Dim, deceased, 565 Grand St., New York City, N. Y.	\$137.29
<i>Item 2</i>					
Anna Ratajska.....	Poland.....	Estate of Joseph F. Okleyewicz, deceased, Surrogate's Court, Queens County, New York, No. 2127-1941.	615.65	Regina Okleyewicz, 392 East Main St., Meriden, Conn., and Wanda Okleyewicz Rutkowski, 107 Price St., Bridgeport 8, Conn., executrices under the Last Will and Testament of Joseph F. Okleyewicz, deceased.	37.68
<i>Item 3</i>					
Wojciech Okleyewicz.....	Poland.....	Same.....	184.70	Same.....	11.31
<i>Item 4</i>					
Stanistawa Pajkzinska.....	Poland.....	Same.....	92.35	Same.....	5.65
<i>Item 5</i>					
Marya Gut.....	Poland.....	Same.....	92.35	Same.....	5.65
<i>Item 6</i>					
Marcela Gut.....	Poland.....	Same.....	92.35	Same.....	5.65
<i>Item 7</i>					
Elsa G. Kuller.....	Holland.....	Estate of Paula Pickhardt, deceased, Surrogate's Court, County of New York, N. Y., File No. P563-1944.	14,738.95	Dorothy P. Kahle, 911 Park Ave., New York, N. Y., Otto C. Pickhardt, 161 East 79th St., New York, N. Y., and Edith P. Colman, 953 Memorial Drive, Cambridge, Mass., as executors (costs and expenses only).	88.57
<i>Item 8</i>					
Demetrios Michael.....	Greece.....	Estate of George Michol, also known as George Michel, George Michaels, George Pappas, George M. Pappas, deceased, Surrogate's Court, New York County, N. Y., File No. A 2597/1943.	213.22	Kyriakos Mihael, administrator of the Estate of George Michol, deceased, 130 Wadsworth Ave., New York, N. Y.	33.28
<i>Item 9</i>					
Theodore Dagdjis.....	Greece.....	Same.....	106.61	Same.....	17.64
<i>Item 10</i>					
Despina Dagdjis.....	Greece.....	Same.....	106.61	Same.....	17.64
<i>Item 11</i>					
Ernest A. Labouchere.....	France.....	Estate of John Jacob Hoff, deceased, Surrogate's Court, New York County, N. Y., No. P-1185/1940.	21,334.03	Frederic B. Coudert and United States Trust Co. New York, executors of the Last Will and Testament of John Jacob Hoff, deceased, 2 Rector St., New York, N. Y.	\$112.56

EXHIBIT A—Continued

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 12</i>					
Harriet Jackson Raldiris.....	France.....	Trust under the Will of Harriet Hartmann, deceased, Surrogate's Court, New York County.	\$69.62	Guaranty Trust Company of New York, trustee under the Will of Harriet Hartmann, deceased, 140 Broadway, New York, N. Y.	\$69.62
<i>Item 13</i>					
Cesare Valletta.....	Italy.....	Estate of Patsy Valletta, also known as Pasquale Valletta deceased, Surrogate's Court, Erie County, Buffalo, N. Y.	2,310.07	Samuel Sapewitch, Public Administrator, administrator of the Estate of Patsy Valletta, deceased, 1101 Liberty Bank Building, Buffalo, N. Y.	19.01

[F. R. Doc. 45-12399; Filed, July 9, 1945; 11:00 a. m.]

[Vesting Order CE 22]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT COURTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian:

Having found that each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or enemy-occupied territory appearing opposite such person's respective name in Column 2 of said Exhibit A;

Having determined that it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A, and having taken such measures;

Finding that as a result of such action or proceeding each of said persons obtained or

was determined to have an interest in property, which interest is particularly described in Column 4 of said Exhibit A;

Finding that such property is in the possession, custody or control of the person described in Column 5 of said Exhibit A; and

Finding that the Alien Property Custodian has incurred, in each of such court or administrative actions or proceedings, costs and expenses in the amount stated in Column 6 of said Exhibit A,

hereby vests in the Alien Property Custodian, to be used or otherwise dealt with in the interest, and for the benefit, of the United States, from the property in the possession, custody, or control of the persons described in said Column 5 of said Exhibit A, the sums stated in said Column 6 of said Exhibit A, such sums being the amounts of such property equal to the costs and expenses incurred by the Alien Property Custodian in such actions or proceedings.

This order shall not be deemed to limit the powers of the Alien Property Custodian to return such property if and when it should be determined that such return should be made.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 4, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Interest	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Marguerite Mazoret.....	France.....	Estate of Peter Marcus, deceased Trust for benefit of Marguerite Mazoret, Court of Probate, District of Stonington, State of Connecticut.	\$887.16	The Guaranty Trust Co. of New York, trustee under the will of Peter Marcus, deceased, 140 Broadway, New York 15, N. Y.	\$161.24
<i>Item 2</i>					
Ustinia Andrevna Homenko.....	U. S. S. R.....	Trust under the Will of Samuel Homenko, deceased, Probate Court, District of Waterbury, Conn.	(1)	Frank A. Sedorenko, 42 Hill St., Waterbury, Conn.; Adam Smick, 10 Violet St., Waterbury, Conn.; Joseph Churson, 64 Brewster St., Waterbury, Conn.; and John Kleseh, 9 Wood St., Waterbury, Conn., trustees under the Will of Samuel Homenko, deceased.	34.79
<i>Item 3</i>					
Nicholas Homenko.....	U. S. S. R.....	Same.....	(1)	Same.....	34.80
<i>Item 4</i>					
Peter Homenko.....	U. S. S. R.....	Same.....	(1)	Same.....	34.80
<i>Item 5</i>					
Lidia Januariadna Homenko Adachkevich.....	U. S. S. R.....	Same.....	(1)	Same.....	34.79
<i>Item 6</i>					
Adela Homenko Wasilosky.....	U. S. S. R.....	Same.....	(1)	Same.....	34.80
<i>Item 7</i>					
Anna Pilot.....	Poland.....	Estate of Andrew Pilot, deceased, Court of Probate, District of Hartford, State of Connecticut.	460.97	Joseph F. Ryter, Esq., administrator of the Estate of Andrew Pilot, deceased, 983 Main St., Hartford, Conn.	48.68
<i>Item 8</i>					
Edward Pilot.....	Poland.....	Same.....	307.32	Same.....	32.58
<i>Item 9</i>					
Helen Pilot.....	Poland.....	Same.....	307.32	Same.....	32.58
<i>Item 10</i>					
Nellie Pilot.....	Poland.....	Same.....	307.31	Same.....	32.58
<i>Item 11</i>					
Mary van Lieu Bosman.....	Belgium.....	Estate of Julia E. T. Daniell, deceased, Court of Probate, District of Stamford, State of Connecticut.	784.00	Frederick T. Lockwood, administrator of the Estate of Julia E. T. Daniell, c/o Cummings & Lockwood, 1 Atlantic St., Stamford, Conn.	93.75

¹ A one-sixth (3%) interest in a trust established under Article VII of the will of Samuel Homenko, deceased.

[F. R. Doc. 45-12400; Filed, July 9, 1945; 11:00 a. m.]

[Dissolution Order 18]

ROYAL BAYREUTH-THARAUD CORP.

Whereas, by Vesting Order No. 631, dated January 6, 1943 (8 F.R. 1765, February 9, 1943) the Alien Property Custodian vested all of the issued and outstanding shares of the capital stock of Royal Bayreuth-Tharaud Corporation, a New York Corporation; and

Whereas, by said Vesting Order No. 631, the Alien Property Custodian vested all right, title, interest and claim of Porzellanfabrik Tettau, A. G. in and to all obligations, owing to it by Royal Bayreuth-Tharaud Corporation and by virtue thereof a certain claim against Royal Bayreuth-Tharaud Corporation in the amount of \$14,717.99 owed to Porzellanfabrik Tettau, A. G. of Oberfranken, Tettau, Germany, vested in the Custodian; and

Whereas, Royal Bayreuth-Tharaud Corporation has been substantially liquidated under the supervision of the Alien Property Custodian;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation;

1. Finding that the claims of all known creditors have been paid, except such claim if any as the Alien Property Custodian may have for monies advanced or services rendered to or on behalf of the corporation; and except a claim of Porzellanfabrik Tettau, A. G. in the sum of \$14,717.99, which has been vested by the Alien Property Custodian as aforesaid; and

2. Having determined that it is in the national interest of the United States that said corporation be dissolved and its assets be distributed, and a certificate of dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Royal Bayreuth-Tharaud Corporation (to wit: L. M. Reed, President and Director, E. W. Hardy, Treasurer and Director, and Robert Kramer, Secretary and Director, and their successors, or any of them) continue the proceedings for the dissolution of Royal Bayreuth-Tharaud Corporation, in accordance with the Statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

a. They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

b. They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation;

c. They shall then pay over, transfer, assign and deliver to the Alien Property Custodian all of the funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied in satisfaction of claim of the undersigned as the owner of the claim in the amount of \$14,717.99 against the subject corporation as hereinbefore described;

d. They shall then pay over, transfer, assign and deliver to the Alien Property Custodian all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him,

first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons; and such persons or any of them may file claims with the Alien Property Custodian against any funds or property received by the Alien Property Custodian and applied by him as a liquidating distribution of assets of the Alien Property Custodian as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the Alien Property Custodian within the time prescribed for such claims by the statutes of New York; and further orders, that all actions taken and acts done by the said officers and directors of Royal Bayreuth-Tharaud Corporation, pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to paragraph (2) of subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 3, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12401; Filed, July 9, 1945;
11:00 a. m.]

[Dissolution Order 19]

LANSEC CORP.

Whereas, by Vesting Order No. 2784, dated December 15, 1943 (8 F.R. 17285, December 23, 1943), as amended November 6, 1944 (9 F.R. 13,535, Nov. 11, 1945), the undersigned vested all of the issued and outstanding shares of the capital stock of Lansec Corporation, a New York corporation, and undertook the direction, management, supervision and control of said corporation; and

Whereas, Lansec Corporation has been substantially liquidated under the supervision of the undersigned;

Now, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that the claims of all known creditors have been paid, except such claim if any as the undersigned may have for monies advanced or services rendered to or on behalf of the corporation; and

2. Having determined that it is in the national interest of the United States that the said corporation be dissolved and its assets distributed, and a certificate of dissolution having accordingly been filed with the Secretary of State of the State of New York;

hereby orders, that the officers and directors of Lansec Corporation, (to wit: Charles W. Jablon, President and Director, and Mollie Strum, Secretary and Director, and Frank E. Hostetter, Treasurer and Director, and their successors, or any of them), continue the proceedings for the dissolution of Lansec Corporation in accordance with the statutes of the State of New York in such cases made and provided; and further orders, that the said officers and directors wind up the affairs of the corporation and distribute the assets thereof coming into their possession as follows:

(a) They shall first pay the current expenses and reasonable and necessary charges of winding up the affairs of said corporation and the dissolution thereof; and

(b) They shall then pay all known Federal, State and local taxes and fees owed by or accruing against said corporation; and

(c) They shall then pay over, transfer, assign and deliver to the undersigned all other funds and property, if any, remaining in their hands after the payments as aforesaid, the same to be applied by him, first, in satisfaction of such claim if any as he may have for monies advanced or services rendered to or on behalf of the corporation, and second, as a liquidating distribution of assets to the undersigned as holder of all the issued and outstanding stock of the corporation; and

further orders, that nothing herein set forth shall be construed as prejudicing the rights, under the laws of the State of New York, of any persons who may claim against said corporation: *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such persons, and such person or any of them may file claims with the undersigned against any funds or property received by the undersigned and applied by him as a liquidating distribution of assets to the undersigned as stockholder as above set forth: *Provided, however*, That any such claim shall be filed with or presented to the undersigned within the time prescribed for such claims by the statutes of the State of New York; and further orders, that all actions taken and acts done by the said officers and Directors of Lansec Corporation, pursuant to this order and the directions contained therein shall be deemed to have been taken and done in reliance on and pursuant to paragraph numbered (2) of subdivision (b) of section B of the Trading with the Enemy Act, as amended, and the acquittance and exculpation therein provided.

Executed at Washington, D. C., July 3, 1945.

[SEAL] FRANCIS J. McNAMARA,
Deputy Alien Property Custodian.

[F. R. Doc. 45-12402; Filed, July 9, 1945;
11:00 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4051]

FAIRHAVEN BOAT CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Fairhaven Boat Company, 919 24th Street, Bellingham, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Maximum prices for sales by any person to—	
	Retailer	Consumer
Flat bottom skiff.....	Per foot \$2.80	Per foot \$4.00

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.00 per foot
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12428; Filed, July 9, 1945; 11:42 a. m.]

[MPR 188, Order 4052]

FRANK L. POLLARD Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Frank L. Pollard Company, 24th Street at Union, Oakland 7, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

ARTICLE: TOWEL RACK—MODEL No. 315

Maximum prices for sales by any seller to:	
	Per dozen
Distributors.....	\$2.70
Jobbers.....	3.00
Chain stores, syndicate stores, and buying groups.....	3.18
Other retailers:	
6 dozen or more.....	3.53
Less than 6 dozen.....	3.92
Consumers.....	Each \$0.49

These maximum prices are for the articles described in the manufacturer's application dated May 16, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.49 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12429; Filed, July 9, 1945; 11:42 a. m.]

[MPR 188, Order 4053]

GEM FOUNDRY Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Gem Foundry Company, 2421 Eufaula Avenue, Birmingham 3, Ala.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Dept. stores	Other retailers	Consumers
Cornstick pan, 13" x 6" x 1 1/2".....	None	Each \$0.41	Each \$0.51	Each \$0.57	Each \$0.85

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That

tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.85 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12430; Filed, July 9, 1945;
11:43 a. m.]

[MPR 188, Order 4054]

GOLDIE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Goldie Manufacturing Company, Rear 441 K Street NW., Washington 1, D. C.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Jobbers	Droptail jobbers	Dept. stores	Other retailers	Consumers
Indoor clothes dryer.....	190/1	Each \$1.10	Each \$1.17	Each \$1.38	Each \$1.53	Each \$2.30

These maximum prices are for the articles described in the manufacturer's application dated April 27, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$2.30 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12431; Filed, July 9, 1945;
11:43 a. m.]

[MPR 188, Order 4055]

DAVID BRETTIER, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by David Brettier, Incorporated, 430 Bryant Avenue, Bronx 59, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—		
		Jobbers	Re-tailers	Consumers
Hunting knife, 6½"	None	Each \$1.80	Each \$2.25	Each \$3.75

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the

effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$3.75 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12432; Filed, July 9, 1945;
11:43 a. m.]

[MPR 188, Order 4056]

BAY SHORE SPEC. MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bay Shore Spec. Mfg. Company, 1219 West Meinecke Avenue, Milwaukee 6, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter (24 kt. gold plated).	"Bay Shore"	Each \$2.68	Each \$3.57	Each \$5.95
Cigarette lighter (silver plated).	1.....	2.68	3.57	5.95

These maximum prices are for the articles described in the manufacturer's application dated April 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. -----
OPA Retail Ceiling Price—\$5.95 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12433; Filed, July 9, 1945;
11:44 a. m.]

[MPR 188, Order 4057]

BAYSHORE SPECIALTIES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C. F. Piehl, Bayshore Specialties Company, of 69 North Clinton Avenue, Bayshore, Long Island.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Department chain and syndicate stores	Other retailers	Consumers
Strainer, half moon shape 9½" long and 4¾" at widest part, overall length 15", enameled wood handle with wire running around entire handle and spot welded to main part of strainer, 2 ears ½" in depth on each side of strainer.	None	Each \$0.65	Each \$0.81	Each \$0.90	Each \$1.35

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.35 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12434; Filed, July 9, 1945;
11:44 a. m.]

[MPR 188, Order 4058]

FLORENCE LAMP CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Florence Lamp Company, Inc., 49 West 27th Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model Nos.	For sales by the manufacturer to—		
		Jobbers	Retailers	For sales by any person to consumers
Polished crystal vanity lamp (base only).	105, 106, 108, and 111.	Each \$1.19	Each \$1.40	Each \$2.52

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or

label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 147.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12435; Filed, July 9, 1945;
11:44 a. m.]

[MPR 188, Order 4059]

A. H. EQUIPMENT & APPLIANCE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by A. H. Equipment & Appliance Company, 339 Rockaway Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum price for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric hot plate, round, 6" x 6" x 5", no cord, no switch, wood handle, enamel finish.	AAA	Each \$0.77	Each \$0.87	Each \$0.94	Each \$1.45
Electric hot plate round, 6" x 6" x 5", cord, switch, wood handle, enamel finish.	AAA 1	.89	1.05	1.14	1.80

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and sub-

ject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the retail prices properly filled in:

A. H. Equipment & Appliance Co.
339 Rockaway Avenue, Brooklyn, New York
Model No. -----
OPA Retail Ceiling Price—\$-----
Price Includes Federal Excise Tax
Do Not Detach

Order No. -----
Model No. -----

OPA Retail Ceiling Price—\$-----
Price Includes Federal Excise Tax
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12436; Filed, July 9, 1945;
11:44 a. m.]

[MPR 188, Order 4060]

THE MELBUN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Melbun Company, 168 Atlantic Street, Stamford, Conn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter....	"Little Bu"....	Each \$0.90	Each \$1.20	Each \$2.00

These maximum prices are for the articles described in the manufacturer's application dated June 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

Model No. -----
OPA Retail Ceiling Price—\$2.00 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12437; Filed, July 9, 1945;
11:45 a. m.]

[MPR 188, Order 4061]

INVENTORPRISES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Inventorprises, of 111 West 7th Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by—			
		Manufacturer to—		Sellers other than manufacturer to—	
		Wholesalers (jobbers)	Retailers	Retailers	Consumers
Painters Mixer.....	1A	Dozen \$0.67	Dozen \$0.89	Dozen \$0.89	Each \$0.11

These maximum prices are for the articles described in the manufacturer's application dated May 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.11
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12438; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4062]

C. H. GILMORE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C. H. Gilmore, 7817 St. Lawrence Avenue, Swissvale 18, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
		Each	Each	Each
Cigarette lighter (not electric).....	1	\$2.02	\$2.70	\$4.50

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$4.50 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and condi-

tions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12439; Filed, July 9, 1945; 11:45 a. m.]

[MPR 188, Order 4063]

LIBERTY METAL PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Liberty Metal Products Company of 174 Wooster Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 or more units)	Retailers (less than 6 units)	Consumers
		Each	Each	Each	Each
Electric hot plate..... Two burner open elements 6' cord two switches, black crackle finish.	7	\$2.88	\$3.41	\$3.67	\$5.50
Electric hot plate..... One burner, open element 6' cord and switch, black crackle finish.	8	1.13	1.36	1.46	2.25
Electric hot plate..... One burner closed element pin-type connection.	9	.99	1.19	1.29	1.98

These maximum prices are for the articles described in the manufacturer's application dated May 29, 1945, these prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the articles described in your application. They are f. o. b. factory and subject to a cash discount of 2% in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of

purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number filled in:

Liberty Metal Products Company
174 Wooster Street
New York, New York
Model No. -----
OPA Retail Ceiling Price \$-----
Price Includes Federal Excise Tax
Do Not Detach or Obliterate
Or
Order No. ----- under MPR 188
Model No. -----
OPA Retail Ceiling Price \$-----
Price Includes Federal Excise Tax
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12440; Filed, July 9, 1945;
11:45 a. m.]

[MPR 188, Order 4064]

PORTLAND FOUNDRY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Portland Foundry Company of 2420 S. E. Umatilla Street, Portland 2, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

MAXIMUM PRICES FOR SALES BY ANY SELLER TO:

Article	Model No.	Wholesalers (jobbers)	Chain and department (stores)	Other retailers	Consumers
Aluminum skillet.....	108	Each \$1.30	Each \$1.62	Each \$1.90	Each \$2.70

No. 137—5

These maximum prices are for the articles described in the manufacturer's application dated October 24, 1944.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$1.80
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12441; Filed, July 9, 1945;
11:46 a. m.]

[MPR 188, Order 4065]

INDUSTRIAL TOOL & DIE WORKS, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Industrial Tool & Die Works, Inc., 2824 University Avenue SE., Minneapolis 14, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by all persons to—		
		Wholesalers	Retailers	Consumers
Cigarette lighter.....	1	Each \$0.32	Each \$0.42	Each \$0.69

These maximum prices are for the articles described in the manufacturer's application dated June 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$0.69 Each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12442; Filed, July 9, 1945;
11:47 a. m.]

[MPR 188, Order 4066]

METAL WARES OF CALIFORNIA

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Metal Wares of California, of 639 South Spring Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for any seller to—			
		Wholesalers (to jobbers) surgical and hospital supply houses	Department and chain stores	Other retailers and commercial, industrial, or institutional users	Users other than commercial, industrial, or institutional
Pressure 18" x 12" x 14" oven cast aluminum.	44	Each \$14.35	Each \$17.22	Each \$19.14	Each \$28.70

These maximum prices are for the articles described in the manufacturer's application dated April 9, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% payment in 10 days net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price, \$20.70 each
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12443; Filed, July 9, 1945;
11:47 a. m.]

[MPR 188, Order 4067]

SALLY WOLBERG

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sally Wolberg, 1657 South Drake Avenue, Chicago 23, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
14" Wrap around rayon shade with braid trim.	1	Each \$1.23	Each \$1.45	Each \$2.61

These maximum prices are for the articles described in the manufacturer's application dated March 14, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank space:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 10th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12444; Filed, July 9, 1945;
11:47 a. m.]

[MPR 188, Order 4070]

G. F. C. Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by G. F. C. Company, 89 Atlantic Avenue, Brooklyn 2, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
A standard torchiere with mogul 3-way socket and translucent reflector to fit chrome plated on aluminum holder on top of four sections of crystal mirror glass made up by cementing uniform beveled mirrors to wood blocks which are held rigid with specially designed brass, chrome plated, square checks and ornamental crystal balls on top of large hard wood square base properly weighted and decorated with plate glass mirrors individually set and fitted.	5000	Each \$18.50	Each \$21.75	Each \$39.15

These maximum prices are for the articles described in the manufacturer's application dated May 7, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. ----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of Supplementary Regulation 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 9th day of July 1945.

Issued this 9th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12461; Filed, July 9, 1945;
4:13 p. m.]

[RMFR 136, Order 468]

INTERNATIONAL HARVESTER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 468 under Revised Maximum Price Regulation 136. Machines, parts and industrial equipment. International Harvester Company; Docket No. 6083-136.21-349.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 21 of Revised Maximum Price Regulation 136, It is ordered:

(a) The International Harvester Company, 180 Michigan Avenue, Chicago,

Illinois, is authorized to sell each International motor truck, containing a chassis described in subparagraph (1), produced under the War Production Board's allocation to the International Harvester Company for 1945 production of 4,000 units of K-6 truck chassis, at a price not to exceed the applicable list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942, to the applicable class of purchaser:

Chassis model number	Wheelbase (inches)	List price f. o. b. factory
K-6-----	134	\$1,315
	146	1,335
	158	1,355
	176	1,375
	194	1,410
	212	1,450

(2) *Allowances.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price in effect on March 31, 1942 (less the discount in effect on that date) for such equipment when sold as original equipment (except that for cab, Model HF, the charge shall not exceed the list price of \$120, less the discount in effect on March 31, 1942).

(ii) Allowance to cover handling and delivery expense computed in accordance with the seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise taxes on tires and tubes and other federal excise taxes, and state or local taxes on the truck being sold, computed in accordance with the method the seller had in effect on March 31, 1942.

(b) A reseller of International motor trucks may sell, delivered at place of business, each International truck containing a chassis described in subparagraph (1), produced under the War Production Board's allocation to the International Harvester Company for 1945 production of 4,000 units of K-6 truck chassis, at a price not to exceed the list price in that subparagraph and applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942:

(1) *List price.*

Chassis model number	Wheelbase (inches)	List price f. o. b. factory
K-6-----	134	\$1,315
	146	1,335
	158	1,355
	176	1,375
	194	1,410
	212	1,450

(2) *Allowances.* (i) An allowance for extra, special and optional equipment which shall not exceed the allowance the reseller had in effect on March 31,

1942 for such equipment (except that the allowance for cab, Model HF, shall not exceed the list price of \$120 less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company would make for the transportation of the truck to the place of business of the reseller;

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942;

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery;

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942.

(c) A reseller of International motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that the International Harvester Company suggested on March 31, 1942, be made by resellers for the extra, special or optional equipment attached to the truck as original equipment (except that for cab, Model HF, the charge shall not exceed the list price of \$120, less the discount in effect on March 31, 1942);

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company would make for the transportation of the truck from the factory to the place of business of the reseller;

(iii) A charge equal to the charge made by the International Harvester Company, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal excise taxes on tires and tubes and other federal excise taxes;

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck;

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of International trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance and landing, wharfage and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

NOTE: Where the manufacturer has an established price in accordance with section 8 of Revised Maximum Price Regulation 136, which is different than a price permitted under paragraph (a) because of substantial changes in design, specifications or equipment of the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the reseller must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall become effective July 11, 1945.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12484; Filed, July 10, 1945;
11:33 a. m.]

[MPR 188, Amdt. 86 to Order A-1]

GYPSUM LATH

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

A new paragraph (a) (62) is added to read as follows:

(a) (62) *Modification of maximum prices for gypsum lath.* (i) The manufacturers' maximum prices for sales of $\frac{3}{8}$ " gypsum lath for shipment to points in the States of Oregon and Washington, when shipment is made from mills located in the States of California, Nevada and Montana, shall be \$13.95 per thousand square feet, f. o. b. mill plus actual freight to destination.

(ii) Any reseller located in the States of Oregon and Washington, purchasing gypsum lath for resale from any manufacturer who has modified his maximum prices in accordance with subparagraph (i) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted the manufacturers in subparagraph (i) above.

(iii) On or before the first delivery to any reseller of $\frac{3}{8}$ " gypsum lath for which the maximum price has been modified pursuant to (i) above, the manufacturer shall notify the reseller of the manufacturer's maximum price and the pricing method established by this Amendment.

(iv) Any reseller who has purchased $\frac{3}{8}$ " gypsum lath from any manufacturer whose maximum prices have been modified

pursuant to (i) above, shall conspicuously display at his place of business a poster listing his maximum selling prices opposite the various brands of $\frac{3}{8}$ " gypsum lath sold by him, together with the address of the mill from which the manufacturer made the shipment of the particular brand of lath to him.

(v) The maximum prices established herein shall be subject to cash, quantity, and other discounts, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This Amendment No. 86 shall become effective July 13, 1945, and shall terminate December 31, 1945, unless otherwise extended by amendment.

Issued this 10th day of July 1945.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 45-12485; Filed, July 10, 1945;
11:33 a. m.]

Regional and District Office Orders.

[Region II Order G-20 Under RMPR 165,
Amdt. 1]

LAUNDRY SERVICES IN NEW YORK METROPOLITAN AREA

Application for permission to increase its maximum price for family laundry, dry cleaning and related services, as established under Revised Maximum Price Regulation No. 165, as amended—Services, was filed by the power laundry hereinafter named. After due consideration of this application and other available information, it has been decided to adjust the maximum prices of the said laundry to the extent indicated, for the reasons set forth in the opinion attached hereto.

Accordingly, pursuant to the Emergency Price Control Act of 1942, Supplementary Order No. 28, and section 16 (a) of Revised Maximum Price Regulation No. 165, as amended—Services, *It is hereby ordered:*

1. Paragraph (1) of Order No. G-20 is hereby amended to include the following named laundry and permitted increase:

Hacks Laundry Inc. 3%

2. All the other provisions of Order No. G-20 shall remain in effect and shall be applicable to the above named applicant.

This order shall be effective immediately.

Issued this 21st day of June 1945.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 45-12451; Filed, July 9, 1945;
12:10 p. m.]

[Nashville Rev. Order G-1 Under Gen. Order 50, Corrected Amdt. 5]

MALT BEVERAGES IN NASHVILLE, TENN., DISTRICT

For reasons set forth in the opinion issued simultaneously herewith, Appendix A to Revised District Order No. G-1 under General Order No. 50, is amended to read as follows:

APPENDIX A (AMENDED)

GROUP 1B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
	Cents	Cents
Beer:		
Barbarossa	25	
Budweiser	25	50
Down's Art & Art	25	50
Miller's High Life	25	50
Pabst Blue Ribbon	25	50
Schlitz	25	50
Ale:		
Ballentine's XXX	25	50
Buckingham	25	50
Carling's Red Cap	25	50
Red Top	25	50
All other beer and ale not listed above including unlabeled beer and ale	20	40
Draught beer:	Cents	
6-ounce glass	8	
8-ounce glass	10	
10-ounce glass	12	
12-ounce glass	14	
14-ounce glass	16	
16-ounce glass	18	

Any other ounce than listed shall be $1\frac{1}{4}$ ¢ per ounce, except Michelob Beer, which shall have a maximum price of 1.6¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

GROUP 2B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Barbarossa	20	45
Birk's Trophy	17	
Budweiser	20	45
Burger Brau	17	40
Down's Art & Art	20	
Esslinger	17	40
Koller's Topaz	17	
Lambic	17	40
Miller's High Life	20	45
Pabst Blue Ribbon	20	45
Pioneer Victory	17	
Red Fox	17	40
Ruby	17	
Schlitz	20	45
Ale:		
Ballentine's XXX	20	45
Buckingham	20	45
Bruck's Pale	17	40
Carling's Red Cap	20	45
Esslinger's Little Man	17	40
Red Top	20	45
All other brands not listed above including unlabeled beer and ale	15	35
Draught beer:	Cents	
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce, except Michelob Beer, which shall have a maximum price of 1.4¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected.

APPENDIX A (AMENDED)—Continued

GROUP 3B

Brand or trade name	Maximum price per bottle	
	12-ounce	32-ounce
Beer:		
Barbarossa	17	35
Birk's Trophy	15	40
Budweiser	17	35
Burger Brau	15	40
Down's Art & Art	17	35
Esslinger	15	40
Koller's Topaz	15	35
Lambie	15	40
Miller's High Life	17	40
Pabst Blue Ribbon	15	35
Pioneer Victory	15	40
Red Fox	15	35
Ruby	15	40
Schlitz	17	40
Ales:		
Ballantine's XXX	17	40
Buckingham	17	40
Bruck's Pale	15	35
Carling's Red Cap	17	40
Esslinger's Little Man	15	35
Red Top	17	40
All other brands not listed above including unlabeled beer and ale	13	30
Draught beer:		
6-ounce glass	06	
8-ounce glass	08	
10-ounce glass	10	
12-ounce glass	12	
14-ounce glass	14	
16-ounce glass	16	

Any other ounce than listed shall be 1¢ per ounce for any size.

Sellers who are required to pay a Federal Excise Tax on cabsarets may add same to above price if such tax is separately stated and collected.

This amendment shall become effective May 7, 1945.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; G.O. 50, 9 F.R. 4808)

Issued this 5th day of May 1945.

CARSON VAUGHAN,
District Director.

[F. R. Doc. 45-12448; Filed, July 9, 1945; 12:09 p. m.]

[Region IV 2d Rev. Order G-7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KNOXVILLE, TENN., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, paragraph (e) of Second Revised Order No. G-7 under Revised Maximum Price Regulation No. 122, issued by this office on June 1, 1945, is hereby amended to read as follows:

(e) *Maximum prices.* Maximum prices established by this order are as follows for sales on a "Direct delivery or domestic" basis:

(1) High volatile bituminous coal from District No. 8.

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.
Lump, chunk, and Block:		
Mayflower—from Blue Diamond Coal Co.—mine index 488, and Rex—from Francis Rex Coal Co., Inc.—mine index 404	\$7.90	\$4.08
From Fox Ridge Mining Co., Inc.—mine index 228	7.75	4.00
From Pioneer Coal Co.—mine index 368, and		
From Kentucky Straight Creek Coal Co.—mine index 2 and 38	7.65	3.95
From other district 8 mines	7.40	3.83
Egg:		
Mayflower—from Blue Diamond Coal Co.—mine index 488, and Rex—from Francis Rex Coal Co., Inc.—mine index 404	7.60	3.93
From Fox Ridge Mining Co., Inc.—mine index 228	7.45	3.85
From Pioneer Coal Co.—mine index 368, and		
From Kentucky Straight Creek Coal Co.—mine index 2 and 38	7.35	3.80
From other district 8 mines	7.10	3.68
Stove and junior egg	6.60	3.43
Stoker:		
Blue Rose—from New Jellico Coal Co., Inc.—mine index 61	7.45	3.85
From other district 8 mines	7.15	3.70
Run-of-mine	6.60	3.43
Nut and slack	5.30	2.78

Effective date. This amendment shall become effective June 27, 1945.

Issued: June 27, 1945.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 45-12446; Filed, July 9, 1945; 12:08 p. m.]

[Region IV Rev. Order G-10 Under RMPR 122, Amdt. 1]

SOLID FUELS IN DES MOINES, IOWA, AREA

An opinion accompanying this amendment to Revised Order No. G-10 has been issued simultaneously herewith.

Paragraph (c), VII, in the price schedule, is amended to read as follows:

	2 tons or more, per ton	1 ton or more, per ton	½ ton, per ½ ton	50 tons or more to 1 bin, per ton
VII. Pennsylvania Anthracite: Chestnut	\$21.85	\$22.10	\$11.45	-----

Issued this 2d day of July 1945.

This Amendment No. 1 to Revised Order No. G-10 supersedes Regional Order No. G-22 as to dealers covered hereby and shall be effective immediately.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-12447; Filed, July 9, 1945; 12:08 p. m.]

[Region IV Order G-12 Under MPR 188]

ALPHONS CUSTODIS CHIMNEY CONSTRUCTION CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. G-12 under Maximum Price Regulation No. 188 Alphons Custodis Chimney Construction Company, New

York, New York. (Ragland, Alabama Plant), Docket Number: IV-188-161 (a) (2)-90.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region IV of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188, it is hereby ordered:

(a) That on and after the effective date of this order the Alphons Custodis Chimney Construction Company of New York, New York, hereinafter referred to as the applicant, may sell and deliver building brick, common and unglazed face, manufactured by it at its Ragland, Alabama plant at a price no higher than a price reflecting its properly established maximum price under Maximum Price Regulation No. 188, plus a sum not in excess of \$1.00 per thousand.

(b) That all allowances, discounts, differentiations in classes of purchases and other differentials customarily made by applicant, as well as its legal current pricing practices, shall be maintained.

(c) That any reseller in Region IV purchasing building brick, common and unglazed face, from the above named applicant for resale is hereby permitted to increase his present maximum price by an amount not to exceed the increase in his cost resulting from this order.

(d) Except as otherwise provided herein, all transactions of applicant subject to this order remain subject to the provisions of Maximum Price Regulation No. 188, together with all amendments which heretofore have been or hereafter may be issued.

(e) All requests made by applicant and not specifically herein granted are hereby denied, subject to applicant's right to have further administrative consideration of its application in accordance with the provisions of Revised Procedural Regulation No. 1, as amended, a copy of which will be sent upon request.

This order may be revoked, corrected or amended by the Office of Price Administration at any time.

This order shall become effective June 26, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this June 23, 1945.

J. F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 45-12450; Filed, July 9, 1945; 12:09 p. m.]

[Roanoke Order 1 Under RMPR 259]

CONTAINERS AND CASES OF MALT BEVERAGES IN ROANOKE, VA., DISTRICT

For reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation 259, this order establishes uniform

maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. Where this order applies. The provisions of this order apply to all wholesalers and retailers located within the Roanoke (Virginia) District.

SEC. 3. Applicability. No wholesaler or retailer within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. Deposit charges established by this order. The maximum deposit charges for all sellers to which this order is applicable are as follows:

- 2¢ per bottle for 12 ounce and under in size.
- 4¢ per bottle for over 12 ounces in size.
- 27¢ per case for either paper, fiber or wood.

SEC. 5. Definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective July 1, 1945.

Issued this 16th day of June 1945.

BERNARD C. GOODWIN,
District Director.

[F. R. Doc. 45-12445; Filed, July 9, 1945;
12:08 p. m.]

[Region IV Order G-3 Under 2d RMPR 269]

POULTRY IN NORTH GEORGIA AREA

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the Regional Administrator, Region IV by section 2.3 (a), 2d Revised Maximum Price Regulation 269 as amended, it is ordered:

(a) *Adjustment of maximum base prices.* (1) Additions to the applicable maximum base prices for live poultry items except ducks, stags, old roosters and turkeys. For the period beginning March 26, 1945, and ending March 31, 1945, inclusive, any authorized poultry buyer who purchases such live poultry items produced and delivered from the Georgia "poultry area" designated in War Food Administration Order 119 as amended may add 1 8/10¢ per pound to the applicable base price for the poultry item in question in making payment to the seller, and may charge any "authorized processor" 1 8/10¢ per pound over the applicable maximum base price for the poultry item in question. Any "authorized processor" may pay any "authorized poultry buyer" 1 8/10¢ per pound over the applicable base price for the live poultry items mentioned above.

(b) *Definitions.* "Authorized poultry buyer" means any person other than an authorized processor who holds authorization from the Director of Distribution, War Food Administration to purchase, contract to purchase, and accept delivery of poultry for purposes of resale and delivery to an "authorized processor".

"Authorized processor" means any person who holds a letter of authority issued to him by the "Order Administrator" designated by the Director of Distribution, War Food Administration, to receive and process poultry to be set aside pursuant to the provisions thereof.

"Poultry Area" means the territory included within the counties of the State of Georgia named in War Food Administration Order 119, as amended, § 1414.7 (a) (12) (iii). This area includes Cherokee, Dawson, Forsyth, Lumpkin, Hall, White and Habersham Counties at the time of issuance of this order. It shall always include the Georgia counties named in War Food Administration Order 119, regardless of the subsequent alteration in the list of the Georgia counties contained therein.

(c) *Applicability of 2d Revised Maximum Price Regulation 269.* (1) Except as provided in paragraph (a) above, all the provisions of 2d Revised Maximum Price Regulation 269 continue in effect.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective March 26, 1945.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: June 14, 1945.

J. F. ARMSTRONG,
Acting Regional Administrator.

[F. R. Doc. 45-12449; Filed, July 9, 1945;
12:09 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-986]

NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING OF AMENDMENT TO DECLARATION AND ORDER FOR RECONVENING HEARING

At a regular meeting of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 9th day of July, 1945.

New England Public Service Company (NEPSCO), a registered holding company, having filed a declaration with the Commission on October 30, 1944 with respect to the sale of the entire gas properties and business of Public Service Company of New Hampshire (New Hampshire), its subsidiary, to James A. Pierce or his nominees; the Commission in its notice of filing and order for hearing issued November 1, 1944 (Holding Company Act Release No. 5405) having summarized the terms of said sale and having ordered a hearing thereon; and hearings having been held pursuant to said notice, testimony having been taken and the hearing having been closed; and

Subsequent to the closing of said hearing the Commission having been notified that the parties were unable to effectuate the proposed transaction; and due to such failure to consummate the sale no findings, opinion or order of the Commission having ever been issued; and

New Hampshire having in April 1945 made further efforts to sell its gas properties and business; seven bids having been submitted to it for said gas properties and business; New Hampshire having accepted the bid of Charles R. Prichard, Jr., and others, and entered into a contract of sale for said gas properties and business on June 8, 1945 with the said Prichard; and declarant having now filed an amendment to its declaration praying that the above-entitled matter be reopened for further consideration and final disposition:

Notice is hereby given that declarant has, on July 2, 1945, filed an amendment to its declaration, which amendment, in effect, substitutes a new purchaser for the New Hampshire gas properties and business.

All interested persons are referred to said amendment, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed and which may be summarized as follows:

NEPSCO proposes that New Hampshire sell to Charles R. Prichard, Jr., and others, such subsidiary's entire gas business, including all of its franchises, works and system used in the manufacture, transmission and distribution of artificial gas, real estate, and personal properties used by it in said gas business, and certain current assets. The proposed consideration to be received for such interest is \$200,000 in cash. Included in the business proposed to be sold are all the plants for the manufacture of artificial gas in the Cities of Nashua, Keene, Laconia, and Dover and all the properties for the distribution of artificial gas in the Cities of Nashua, Keene, Laconia, Franklin and Dover and in the towns of Hudson, Belmont, Northfield, Sanbornton and Tilton, all in the State of New Hampshire.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings in this matter be reopened with respect to said amended declaration and that said amended declaration should not be permitted to become effective except pursuant to further order of this Commission.

It is ordered, That the proceedings herein be, and the same is hereby, reopened, and that the hearing herein be, and the same is hereby, reconvened on July 24, 1945 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, before Charles S. Lobingier, the trial examiner heretofore designated. At such hearing cause shall be shown why such amended declaration should be permitted to become effective. Notice is hereby given of said reconvened hearing to the above-named declarant and to all interested parties, said notice to be given to said declarant and Public Service Company of New Hampshire by mailing copies hereof by registered mail, and to all other persons by publication of a copy hereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by the said amended declaration other-

wise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be received is fair and reasonable.

2. The propriety of the accounting entries to be made on the records of the declarant in connection with the proposed transaction.

3. The identity of the purchaser, and his interest, if any, in any other public utility or holding company.

4. Whether competitive conditions have been maintained.

5. Whether the fees and expenses in connection with the proposed transactions are reasonable.

6. What terms and conditions, if any, are necessary or appropriate in the public interest or the interest of investors or consumers, to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules or regulations or orders promulgated thereunder and

7. Generally, whether the proposed transaction is in the public interest and in the interest of investors or consumers and will not tend to contravene or circumvent any provisions of the Act or the Rules, Regulations, or Orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-12467; Filed, July 10, 1945;
9:59 a. m.]

[File No. 1-2236]

UNION CONSOLIDATED MINING CO.

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of July, A. D., 1945.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of Union Consolidated Mining Company Assessable Common Stock, \$1 par value should be suspended or withdrawn.

I. It appearing to the Commission:

That Union Consolidated Mining Company, a corporation organized under the laws of the State of California, is the issuer of Assessable Common Stock, \$1 Par Value; and that said Union Consoli-

dated Mining Company registered such security on the San Francisco Mining Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about November 13, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on June 1, 1936, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2 promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for the said Union Consolidated Mining Company; and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the Instruction Book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period, unless the registrant files with the Commission a request for an extension of time to a specific date within six months after the close of the fiscal year; and

That said Union Consolidated Mining Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1944, was due to be filed not later than April 30, 1945; that registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1944, was not filed within the time prescribed for filing said report or at any later date; and

II. The Commission having reasonable cause to believe that:

The said Union Consolidated Mining Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1944, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III. It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, pursuant to section 19 (a) (2) of said act, that a public hearing be held to determine whether Union Consolidated Mining Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the rules, regulations and forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Assessable Common Stock, \$1 Par Value, of said Union Consolidated Mining Company on said San Francisco Mining Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John T. Kenward, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law;

It is further ordered, That the taking of testimony in this hearing begin on the 25th day of July, 1945, at 10:00 a. m., Pacific war time, at the Regional Office of the Securities and Exchange Commission, 625 Market Street, San Francisco, California, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-12468; Filed, July 10, 1945;
9:59 a. m.]

